

**SCOTTISH OVERSEAS TRADE, 1275/86-1597**

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## **DECLARATION**

I declare this thesis has been composed by myself, and the research on which it is based is my own work.

Martin Rorke



## **ABSTRACT**

### **SCOTTISH OVERSEAS TRADE, 1275/86-1597**

Custom records have long been recognised as an invaluable aid in the study of overseas trade. In Scotland these records have survived virtually intact from the middle of the fourteenth century, and their importance is magnified considerably owing to the limited number of alternative sources relating to trade. Moreover, they are the only long-term quantitative source relating to the economy of medieval and early modern Scotland.

In previous work on the Scottish custom accounts little attention has been given to their reliability as export figures, while those export figures which have been presented have tended to be limited in coverage and lacking in precision. As a result, it is impossible to establish accurately either the long-term or short-term trends in Scottish overseas trade.

This thesis examines the customs administration, looking at the extent and changes in the custom jurisdictions, the export locations, the incidence of smuggling and embezzlement, clerical mistakes made during the compilation of the accounts, and the customing procedure for each major commodity- wool, woolfells, hides, cloth, fish, salt, coal, lead, re-exports, and English imports. This analysis determines the value and limitations of the custom accounts as evidence of exports. For the first time, therefore, together with consideration of these findings, export figures, in both tabular and graphical form, are presented, for each year from 1328 to 1600: export figures are given for each commodity and total trade, for each custom jurisdiction and for the whole country. Finally, with the aid of the export figures, the trends in Scottish exports are discussed, and compared with the situation that pertained in England.

It is hoped that this thesis will further the study of European trade, and be a significant tool for the examination of the medieval and early modern Scottish economy.

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## CONVENTIONS AND ABBREVIATIONS

Monetary sums are in £ (*libra*) s. (*solidi*) d. (*denarii*) Scots unless otherwise stated. All hundreds are given in short hundreds (i.e. 100); where long hundreds (i.e. 120) are used it has been indicated (LH). Modern spellings for place names are used even in quotes. Similarly standardised modern spellings are used for first names; surnames have been left in their original form. The 1<sup>st</sup> of January is considered to be the start of the year for all dates, rather than the 25<sup>th</sup> of March used in the records. The dates listed for the custom accounts refer to the end date of the account. References to the enrolled custom accounts are given by the name of the jurisdiction and the date the account was rendered. Dundee 1598 (b), for example, indicates this was the burgh's second account rendered in 1598; the full references to all the accounts are given in Appendix 1. References from *The Exchequer Rolls of Scotland*, however, are cited when entries from custom accounts are difficult to pinpoint (for example, when the discharge is very long).

- A.D.C.P.*      *Acts of the Lords of Council in Public Affairs, 1501-1554: Selections from Acta Dominorum Concilii*, edited by R.K. Hannay (Edinburgh, 1932).
- A.P.S.*        *The Acts of the Parliament of Scotland*, edited by T. Thomson, C. Innes *et al.* (Edinburgh, 12 vols., 1814-75).
- C.D.S.*        *Calendar of Documents Relating to Scotland*, ed. J. Bain *et al.* (Edinburgh, 5 vols., 1881-1986).
- E.R.*         *Rotuli Scaccarii Regum Scotorum: The Exchequer Rolls of Scotland*, edited by J. Stuart *et al.* (Edinburgh, 23 vols., 1878-1908).
- Edin. Recs.*   *Extracts from the Records of the Burgh of Edinburgh*, edited by J.D. Marwick *et al.* (Edinburgh: Scottish Burgh Records Society, 13 vols., 1869-1967).
- Halyburton's Ledger*   *The Ledger of Andrew Halyburton, Conservator of the Privileges of the Scotch Nation in the Netherlands, 1492-1503*, edited by C. Innes (Edinburgh, 1867).
- R.C.R.B.*      *Records of the Convention of the Royal Burghs of Scotland*, edited by J.D. Marwick *et al.* (Edinburgh, 4 vols., 1866-90).
- R.M.S.*        *Registrum Magni Sigilli Regum Scotorum: The Register of the Great Seal of Scotland*, edited by J.M. Thomson *et al.* (Edinburgh, 11 vols., 1882-1984).
- R.P.C.*        *The Register of the Privy Council of Scotland*, edited by J.H. Burton *et al.* (Edinburgh, First Series, 14 vols., 1877-98).
- R.R.S.*        *Regesta Reum Scotorum*, edited by G.W.S. Barrow *et al.* (Edinburgh, 6 vols., 1960-88).
- R.S.S.*        *Registrum Secreti Sigilli Regum Scotorum: The Register of the Privy Seal of Scotland*, edited by M Livingstone *et al.* (Edinburgh, 8 vols., 1908-82).
- NAS*          National Archives of Scotland.
- T.A.*          *Compota Thesaurariorum Regum Scotorum: Accounts of the Lord High Treasurer of Scotland*, edited by T. Dikson *et al.* (Edinburgh, 13 vols., 1877-1978).
- Wedderburne's Compt Buik*   *The Compt Buik of David Wedderburne, Merchant of Dundee, 1587-1630; Together with the Shipping Lists of Dundee, 1580-1618*, edited by A.H. Millar (Edinburgh: Scottish History Society, vol. 28. 1898).

The abbreviations CAP and IRSC have been used on occasion in footnotes and tables for the custom jurisdictions at the Pittenweem Group (i.e. Crail, Anstruther, and Pittenweem) and Inverness, Ross, Sutherland, and Caithness respectively.

## INTRODUCTION

The Scottish custom rolls, which survive for 1328-33, 1340-43, and for all but fourteen years between 1358 and 1600,<sup>1</sup> can, with care, be used to illustrate the main annual export trades in particular locations. From these national figures can be compiled. They give a unique and unrivalled insight into Scotland's overseas trade and are one of the most useful aids in the study of her late medieval and early modern economy.

The enrolled custom accounts to 1600 were printed in *The Exchequer Rolls of Scotland* (1878-1908). The first examinations of the customs were given in the prefaces to these volumes. The editors were primarily interested in the customs' relationship to Crown revenue, and in no way do they offer a complete or comprehensive survey of the customs. There were annual custom revenue figures only for the late 1320s, 1378, the 1420s and 1430s, 1480s, and 1497-1501 and occasionally receipts for jurisdictions or commodities.<sup>2</sup> For decades after the publication of the *Exchequer Rolls*, studies on Scottish overseas trade either ignored the custom accounts entirely,<sup>3</sup> or else simply utilised the rather limited figures given in the prefaces. The discussions on overseas trade in standard texts on Scotland's medieval and early modern economy by I.F. Grant and S.G.E. Lythe, for instance, use the material from the prefaces to the *Exchequer Rolls* in conjunction with legislation and incidental references, and, in the latter's case, foreign sources.<sup>4</sup>

In the first half of the twentieth century the Scottish custom accounts were largely ignored, though it was a period of intense investigation into the English customs. One of the few scholars to examine the Scottish customs independently was the American J.U. Nef in

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<sup>1</sup> Custom rolls have not survived for 1369, 1371, 1375, 1384, 1423-24, 1427, 1432-33, 1436, 1470, 1472, 1536, and 1573.

<sup>2</sup> *E.R.*, I, p. c; II, pp. lxxxix, xci; IV, pp. xciii, cxxvi-cxxx; IX, pp. lxx-lxxvi; XI, pp. xxviii, xxix.

<sup>3</sup> J. Davidson and A. Gray, *The Scottish Staple at Veere: A Study in the Economic History of Scotland* (London, 1909); T.A. Fisher, *The Scots in Germany: Being a Contribution Towards the History of the Scot Abroad* (Edinburgh, 1902) and the same author's *The Scots in Eastern and Western Prussia* (Edinburgh, 1903).

<sup>4</sup> I.F. Grant, *The Social and Economic Development of Scotland Before 1603* (Edinburgh, 1930), pp. 167, 210, 213, 306, 308-9, 353; S.G.E. Lythe, *The Economy of Scotland in its European Setting, 1550-1625* (Edinburgh, 1960), p. 81. Likewise, see R.W. Cochran-Patrik, *Medieval Scotland* (Glasgow, 1892), p.136; J. Mackinnon, *The Social and Industrial History of Scotland: from the Earliest Times to the Union* (Glasgow, 1920), p. 84.



his study of the British coal industry. Nef recorded the annual Scottish coal customs in 1515-50 and the general trends for the remainder of the sixteenth century.<sup>5</sup> The widespread availability, use, and acceptance of the English custom records as evidence of overseas trade, especially after the publication of *England's Export Trade, 1275-1547* in 1963,<sup>6</sup> may have helped stimulate interest in the Scottish accounts. This stimulus was undoubtedly aided by A.L. Murray's classic examinations into the fifteenth and sixteenth century Scottish Exchequer organisation and procedures. In addition he utilised and demonstrated the potential of the custom records in his investigations into the trade of the Dumfries and Galloway ports.<sup>7</sup> Thereafter, and especially in the 1970s, the original custom accounts were more widely used to particularly illustrate overseas trade.<sup>8</sup> Analysis, however, remained restricted to specific years and particular locations. B. Webster, in his book on the sources

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<sup>5</sup> J.U. Nef, *The Rise of the British Coal Industry* (London, 2 vols., 1932), I, pp. 44-5. Other Americans involved in the study of English customs include N.S.B. Gras, *The Early English Customs System* (Cambridge, Mass., 1918); M.H. Mills, "The Collectors of Customs", in W.A. Morris and J.R. Strayer (eds.) *The English Government at Work, 1327-1336*. Vol. II, *Fiscal Administration* (Cambridge, Mass., 1947); H.L. Gray, "Tables of Enrolled Customs and Subsidy Accounts, 1399 to 1461" in E. Power and M.M. Postan (eds.), *Studies in English Trade in the Fifteenth Century* (London, 1951).

<sup>6</sup> The principal works on the English enrolled custom accounts are E.M. Carus-Wilson and O. Coleman, *England's Export Trade, 1275-1547* (Oxford, 1963); J.D. Gould, *The Great Debasement: Currency and the Economy in Mid-Tudor England* (London, 1970), p. 136; and F.J. Fisher, "Commercial Trends and Policy in Sixteenth Century England," in E.M. Carus-Wilson (ed.), *Essays in Economic History* (London, 1955), p. 153; all of which have been widely used and referred to. There have also been numerous studies on the particular accounts for commodities not listed individually in the enrolled accounts; I. Blanchard, *International Lead Production and Trade in the "Age of the Saigerprozess," 1460-1560* (Stuttgart, 1995); A.R. Bridbury, *England and the Salt Trade in the Later Middle Ages* (Oxford, 1955); N.S.B. Gras, *The Evolution of the English Corn Market* (Cambridge, Mass., 1915); J. Hatcher, *English Tin Production and Trade Before 1550* (Oxford, 1973) and the same author's *The History of the British Coal Industry*. Vol. I, *Before 1700* (Oxford, 1993); J.U. Nef, *The Rise of the British Coal Industry* (London, 2 vols., 1932).

<sup>7</sup> A.L. Murray, *The Exchequer and Crown Revenue of Scotland, 1437-1542* (unpublished Edinburgh Ph.D. thesis, 1961); "The Procedure of the Scottish Exchequer in the early Sixteenth Century", *Scottish Historical Review*, XL (1961); "The Comptroller, 1425-1488", *Scottish Historical Review*, LII (1973); "The Custom Accounts of Kirkcudbright, Wigtown, and Dumfries, 1434-1560", *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, Third Series, XL (1963); "The Custom Accounts of Dumfries and Kirkcudbright, 1560-1660", *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, Third Series, XLII (1965).

<sup>8</sup> Annual average customs were given by A.A.M. Duncan, "Foreign Trade and Burghs, 1327-32, 1362-66" and A.L. Murray, "Foreign trade and Scottish Ports 1471 and 1542" both in P. McNeil and R. Nicholson (eds.), *An Historical Atlas of Scotland, c. 400- c. 1600* (St Andrews, 1975), pp. 63-4, 74-5, 174, 186-7. Custom receipts for isolated years appear in R. Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, 1978). The reports by the Scottish Burgh Survey often traced the general trends in the customs of the particular burgh under investigation; for example see A. Turner Simpson and S. Stevenson, *Historic Kinghorn: The Archaeological Implications of Development* (Glasgow: Scottish Burgh Survey, 1981), p. 2. Similarly, the custom figures for Dumbarton were given in I.M.M. MacPhail, *Dumbarton Castle* (Edinburgh, 1979), pp. 85-6.

available for medieval Scotland, felt impelled to suggest that the construction of custom graphs would be a valuable resource.<sup>9</sup>

In the early 1980s three important studies on the Scottish custom accounts appeared, covering extended periods. The aggregate totals for Scottish wool and woollfells, and hides between 1327/32 to 1468/9 were given by A. Grant.<sup>10</sup> I. Guy covered the period from 1460 to 1599, presenting graphs for separate commodities, and for some jurisdictions; later the aggregate commodity figures were published.<sup>11</sup> A. Stevenson, in his thesis on Scottish trade with the Low Countries, frequently used custom figures. In two published pieces, the latter in conjunction with M. Lynch, he gave exports figures for commodities and jurisdictions in isolated periods between 1327 and 1599.<sup>12</sup> These studies have been widely used by those interested in Scottish overseas trade and the state of the economy.<sup>13</sup>

Doubts, however, can be cast on the validity and accuracy of these studies. The use of arithmetic averages over a number of years, normally five, in the Grant and Stevenson studies limits the usefulness of the figures, especially in the case of the latter, where only

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<sup>9</sup> B. Webster, *Scotland from the Eleventh Century to 1603* (London, 1975), p. 139.

<sup>10</sup> A. Grant, *Independence and Nationhood: Scotland 1306-1469* (London, 1984), pp. 236-7.

<sup>11</sup> I. Guy, *The Scottish Export Trade, 1460-1599, from the Exchequer Rolls* (unpublished St Andrews M.Phil. Thesis, 1982) and "The Scottish Export Trade, 1460-1599" in T.C. Smout (ed.), *Scotland and Europe, 1200-1800* (Edinburgh, 1986).

<sup>12</sup> A.W.K. Stevenson, *Trade between Scotland and the Low Countries in the Later Middle Ages* (unpublished Aberdeen Ph.D. thesis, 1982); "Trade with the South, 1070-1513" in M. Lynch *et al.* (eds.), *The Scottish Medieval Town* (Edinburgh, 1988); and with M. Lynch "Overseas Trade: the Middle Ages to the Sixteenth Century" in P.G.B. McNeill and H.L. MacQueen (eds.), *Atlas of Scottish History to 1707* (Edinburgh, 1996), pp. 238-260.

<sup>13</sup> D. Ditchburn, "Piracy and War at Sea in late Medieval Scotland" in T.C. Smout (ed.), *Scotland and the Sea* (Edinburgh, 1992), pp. 36, 48-9; "The Pirate, the Policeman, and the Pantomime Star: Aberdeen's Alternative Economy in the early Fifteenth Century", *Northern Scotland*, XII-XIII (1992-93), p. 25. E. Ewan, *Townlife in Fourteenth Century Scotland* (Edinburgh, 1990), pp. 69, 71. E. Gemmill and N. Mayhew, *Changing Values in Medieval Scotland: A Study of Prices, Money, and Weights and Measures* (Cambridge, 1995), p. 373. J. Hatcher, *The History of the British Coal Industry*. Vol. I, *Before 1700* (Oxford, 1993). M. Lynch, "Scottish Towns, 1500-1700" in M. Lynch (ed.), *The Early Modern Town in Scotland* (London, 1986), pp. 4, 8-9; "The Social and Economic Structure of the Larger Towns, 1450-1600" in M. Lynch *et al.* (eds.), *The Scottish Medieval Town* (Edinburgh, 1988), pp. 268-70; "Continuity and Change in Urban Society, 1500-1700" in R.A. Houston and I.D. Whyte (eds.), *Scottish Society, 1500-1800* (Cambridge, 1989), p. 98. C.A. Whatley, *The Scottish Salt Industry* (Aberdeen, 1987). I.D. Whyte, *Scotland Before the Industrial Revolution: An Economic and Social History, c.1050- c.1750* (London, 1995), pp. 74-6; *Scotland's Society and Economy in Transition, c.1500- c.1700* (London, 1997), pp. 117-8, 135, 141, 148. For one of the few studies of Scottish overseas trade that has independently examined the custom accounts see I. Blanchard, "Northern Wools and Netherlands Markets at the Close of the Middle Ages" in G.G. Simpson (ed.), *Scotland and the Low Countries 1124-1994* (East Linton, 1996), pp. 76-88.

interspersed periods are given.<sup>14</sup> Guy gives annual export figures, but a number of flaws in the statistical methodology employed seriously undermine the value of the data. In her graphs missing accounts were, in effect, given as zero and accounts ranging from 8 to 16 months in length were considered to cover precisely a year.<sup>15</sup> In addition, the studies have also used custom revenues to determine export trends for total commodities without any allowance being made for alterations in custom duties. This has led to the export pattern being distorted, and English imports may even have been included. Further problems with the trade figures have been caused by Berwick-upon-Tweed only being incorporated when under Scottish rule. Meanwhile, the relatively significant exports of corn, re-exports, and miscellaneous manufactures have been entirely neglected. Annual export figures for all commodities, in each jurisdiction and in total, over the entire period have, therefore, not thus far been compiled.

It has been noted that the organisation and procedures of the Exchequer have been admirably dealt with by A.L. Murray, and naturally this work has often incorporated the customs. There has, however, been very little examination into the reliability of using the Scottish custom figures as export data. Lack of time and scope to consider the intricacies of the customing procedure in depth has undermined the validity of a number of the previous studies. Guy, for instance, appears to have been oblivious to a number of exemptions at different times from customs on certain commodities, such as salmon and miscellaneous fells. Other major issues which have not been adequately addressed include the level of smuggling and embezzlement, the extent and changes in custom jurisdictions, the number of clerical mistakes in the accounts, the administrative measures used, and consideration of the allowances (for example, for goods that were customed but not subsequently exported).

It is vitally important, therefore, that the reliability of the custom accounts as evidence of export data be addressed. The working of the administration, the extent and changes in the jurisdictions, and the evidence for smuggling must be examined. The custom

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<sup>14</sup> In Stevenson's "Trade with the South, 1070-1513", figures are given for annual wool and woolfell exports in 1327-33, 1372-76, 1400-6, and 1427-31; and Scottish custom receipts in 1427-31, 1455-60, 1480-85, and 1500-5. In the *Atlas of Scottish History to 1707* individual commodity and jurisdiction graphs are given for 1327-33, 1375-80, 1425-30/1, 1475-79, 1535-39, and 1595-99; and there are ten-year (or thereabout) annual average graphs for the period 1327-1599.

<sup>15</sup> In Guy's M.Phil. thesis a series of tables was used to show the rough lengths and availability of accounts (not included in the more widely available article). These were supposed to allow the reader to determine the reliability of the graphs. This, however, is impractical and unfeasible.

procedure for each commodity also has to be considered. What has to be clear, for instance, is when specific goods were and were not customed; whether they were subject to export bans or licence requirements; the accuracy and nature of the custom measures; and the likely distortions through imperfect data. Other issues, such as the level of clerical mistakes; the phenomenon of re-shipment of customed goods via different ports; the extent and nature of the custom leasing process; and the English import customs also need to be investigated. Only after such a study can annual export figures, in graphical and tabular form, for each jurisdiction and in total, be presented and assessment of Scottish overseas trade be made.



## **A. GENERAL CUSTOM ADMINISTRATION**

## CHAPTER 1

### THE HISTORY AND DEVELOPMENT OF THE CUSTOM SYSTEM, 1275/86-1597

*The navy or shipping of Scotland was of small strength in the memory of our age, neither were their Marriners of great experience, but to make them more diligent, their kings had formerly laid small or no impossitions or customs on them.*

*Fynes Moryson, English Traveller, 1598<sup>1</sup>*

*Thair is na rent of his hienes propirtie quhairin his hienes is sa far preiugit as the abuis of his hienes gret custumes.*

*Sir John Skene, Clerk Register, 1595<sup>2</sup>*

#### I. 1275/86-1327

The origins of the Scottish great customs are obscure. In 1275 the English “new” customs, were introduced (later described as the “great” or “ancient” customs), under which all wool, woollfell, and hide exports were dutiable. It is generally accepted that the Scottish customs were directly based on this and adopted shortly thereafter.<sup>3</sup> It was common for the Scottish Crown to copy English practices at this time.<sup>4</sup> In the early fourteenth century the Scottish custom system was certainly identical to the English 1275 customs, though one should not too readily assume that this was the case in the earlier period. Nonetheless the few surviving late thirteenth century references indicate that a customing system, capable of raising large sums, was in operation in Scotland in the final years of Alexander III’s reign (1249-86). A Gascon merchant was assigned the king’s customs of Berwick-upon-Tweed to cover

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<sup>1</sup> *Early Travellers in Scotland*, edited by P. Hume Brown (Edinburgh, 1973), pp. 86-7.

<sup>2</sup> A.L. Murray, “Sir John Skene and the Exchequer, 1594-1612”, *Miscellany One* (Edinburgh: Stair Society, vol. 26. 1971), p. 145.

<sup>3</sup> A.A.M. Duncan, *Scotland: The Making of the Kingdom* (Edinburgh, 1975), pp. 603-4; A.W.K. Stevenson, “Trade with the South, 1070-1513”, and I. Flett and J. Cripps, “Documentary Sources”, both articles in M. Lynch *et al.* (eds.), *The Scottish Medieval Town* (Edinburgh, 1988), pp. 21, 187; E. Ewan, *Townlife in Fourteenth Century Scotland* (Edinburgh, 1990), p. 41

<sup>4</sup> The Scottish Exchequer was said to resemble superficially the twelfth century English Exchequer. A.L. Murray, *The Exchequer and Crown Revenue of Scotland, 1437-1542* (unpublished Edinburgh Ph.D. thesis, 1961), p. 2. For Scotland directly basing her coinage on England’s in the early medieval period, G.W.S. Barrow, *Kingship and Unity; Scotland 1000-1306* (Edinburgh, 1981), pp. 33, 58, 174.

Alexander's unpaid debts of £2,197 8s. for wine and corn.<sup>5</sup> There are references in the inventories of records in 1292 and 1296 (now lost) to rolls containing the customs of wool and hides at Berwick-upon-Tweed.<sup>6</sup> Moreover, if the English Crown's grants and confirmations to Berwick-upon-Tweed in the fourteenth century can be taken at face value, it would suggest the custom rates under Alexander III were identical to those in the English 1275 system.<sup>7</sup> The scant evidence suggests some form of customing system was in operation in Scotland at the end of the thirteenth century and it presumably bore more than a passing resemblance to that practised in England at the time.

From July 1296 Scotland was under the direct control of Edward I. Shortly afterwards a custom administration identical to his English 1275 customs was definitely in operation. Specifically defined custom jurisdictions, each with their own cocket seal to authenticate customed good, were customing wool, woolfells, and hides. The Edwardian administration had no qualms about replacing Scottish procedure with English practice, even in the Exchequer, and understandably, the new regime appointed its own custom officials. Nonetheless, the speed with which the customing system was put into operation suggests there was at least a degree of continuity with the previous system.<sup>8</sup>

After the defeat at Stirling Bridge in November 1297, the entire Edwardian administration in Scotland collapsed.<sup>9</sup> Despite victory at Falkirk the following year, Edward

<sup>5</sup> *Rotuli Scotiae in Turri Londinensi et in Domo Capitulari Westmonasteriensi Asservati*, edited by D. Macpherson (London, 2 vols., 1814-19), I, p.17.

<sup>6</sup> *A.P.S.*, I, pp. 114, 118. Berwick was unlikely to have been the only place where these customs were levied. It has been plausibly suggested that other burghs' custom accounts were not separately listed in the inventories because they were written on the reverse of their detailed burgh ferme rolls, whereas Berwick had only a single payment for their fue-ferme, and separate custom accounts were therefore necessary. A.A.M. Duncan, *Scotland: The Making of the Kingdom*, p. 604.

<sup>7</sup> It was implicitly stated there was to be a "continuation of the Scottish rate of half a mark (6s. 8d.), described in the enrolled accounts as the 'Ancient Custom'...liberties they had had in the time of Alexander III". This was the same duty as that levied on English wool in the 1275 customs. A. Tuck, "A Medieval Tax Haven: Berwick upon Tweed and the English Crown: 1333-1461" in R. Britnell and J. Hatcher (eds.), *Progress and Problems in Medieval England: Essays in Honour of Edward Miller* (Cambridge, 1996), pp. 153-4.

<sup>8</sup> *Documents Illustrative of the History of Scotland, 1286-1306*, edited by J. Stevenson (Edinburgh, 2 vols., 1870), I, pp. 102-4. J. Robison, *Kirkcudbright: its Mote, Castle, Monastery, and Parish Churches* (Dumfries, 1926), pp. 152-3. *Rotuli Scotiae*, I, p. 40. Details about Edward's presence in Scotland in this and the following paragraph have been taken from F. Watson, *Under the Hammer: Edward I and Scotland, 1286-1306* (East Linton, 1998).

<sup>9</sup> In May 1299, to repay a debt, Edward granted the citizens of Bayonne the customs of wool, woolfells, and hides in England, Ireland, and Scotland. The state of the Scottish customs system, under English control at this time, can only be guessed at. *Calendar of Patent Rolls, 1292-1301*, edited by H.C. Maxwell-Lyte (London, 1906), pp. 418-9.

did not in effect control Scotland until after the success of his fourth invasion in 1304. References to the Scottish customs, under English control, not surprisingly, re-appear only at this time. In September 1304, indeed, there was an enquiry into the disappearance of customs revenue collected at Berwick-upon-Tweed before August 1297. In April 1304 the issue of wool being customed at Berwick-upon-Tweed was raised. By December the chancellor was instructed to appoint merchants and others to collect the customs at various ports and havens,<sup>10</sup> and in the following year payments were made for 16 cocket seals for the various different custom jurisdictions. The custom receipts from Dundee and Stirling were recorded and payments were made to the custom officials at Berwick-upon-Tweed, St Andrews and Crail, and at Elgin, Inverness, Cromarty and Dingwall. There are further references to custom receipts and payments in subsequent years.<sup>11</sup>

Whether the Scottish customs were directly based on Edward I's "new" customs from their inception or whether they were introduced and consolidated during that monarch's occupation of Scotland cannot now be established for certain. What can be determined is that even before the English had fully withdrawn and certainly afterwards, Scottish monarchs wholeheartedly embraced a customs system in a form almost identical to Edward I's 1275 customs. A chance survival of the cocket, or certificate, issued by the collectors of the great customs at Aberdeen in October 1317, shows that customs were paid on wool, woolfells, and hides exported in a ship called the *Doneland* of Zierikzee.<sup>12</sup> There are also references to grants of customs. In 1312, for instance, Sir Thomas Randolph was granted the earldom of Moray including the great customs of Inverness.<sup>13</sup> Nine years later Dunfermline Abbey received all the new great customs for the burghs of Dunfermline, Kirkcaldy, Musselburgh, and Queensferry.<sup>14</sup> The Black Friars of Perth were granted annual payments from the burgh fermes and great customs of Perth and Dundee; Melrose Abbey was to receive £100 from Berwick's fermes and customs, and, if necessary, from the

<sup>10</sup> *C.D.S.*, II, nos. 1611, 1597, 1695; V, no. 358. *Documents Illustrative of the History of Scotland*, I, p. 487.

<sup>11</sup> In 1305 there is also a reference to a ship captured at Wick, laden with wool and hides which had not been customed. In 1312 custom receipts for Berwick-upon-Tweed, Leith, Stirling, and Dundee were recorded. Around the same time there are also references to salaries being paid to Berwick-upon-Tweed's customars, and orders for them to make certain payments from the custom receipts. *C.D.S.*, II, pp. 404, 433, 438, 440-1, and nos. 238, 289. *Rotuli Scotiae*, I, pp. 105, 110.

<sup>12</sup> *R.R.S.*, V, no. 126; *C.D.S.*, V, no. 632.

<sup>13</sup> *R.R.S.*, V, no. 389; *R.M.S.*, I, appendix i, nos. 31, 33.

<sup>14</sup> *R.R.S.*, V, no. 188. Evidently, it took some persuasion for the Abbey's cocket seal to be accepted. *R.R.S.*, V, nos. 199, 303; J.M. Webster, *Regality of Dunfermline Court Book, 1531-1538*, p. 24.

customs of Edinburgh and Haddington.<sup>15</sup> Other references show the Crown reserving the custom revenues for itself. In 1315, Hugh de Ross's gift of the sheriffdom and burgh of Cromarty stated the new customs called maltote still pertained to the Crown. Likewise, when the King issued charters to Berwick in 1320 and Dundee in 1327, the rights specifically excluded the customs.<sup>16</sup> In these references the customs were called new or great customs, but over time only the latter term was used. This distinguished these export customs from the town customs on local trade, which were referred to as small or petty customs.

## II. 1327-1424

The Scottish custom rolls rendered in January 1328 and in the subsequent five years have survived. They show a customing system similar to the English 1275 "new" customs. Customs were only levied on exports of wool, woolfells, and hides, and the duties were virtually identical to the early English customs. In both countries a sack of wool was customed at 6s. 8d., and a last of hides at 13s. 4d. In Scotland 240 woolfells were assessed at the same rate as a sack of wool; initially in England the amount had been 300 woolfells, but from Michaelmas 1368, at least, 240 woolfells were customed as a sack.<sup>17</sup> The Scottish custom administration, as in England, was based on a series of separate custom jurisdictions, each with its own set of custom officials. In Scotland the jurisdictions were largely based on royal burghs and their trading precincts, within which they held a monopoly of overseas trade. In England, where these rights did not exist, custom officials were appointed for certain stretches of land, in each of which was a "headport". Scottish royal custom jurisdictions were at Berwick-upon-Tweed, Edinburgh, Linlithgow, Stirling, Inverkeithing, Cupar, Perth, Dundee, Montrose, Aberdeen, and Banff, and on the West coast at Ayr, Dumbarton, Tarbert, Wigtown, and Dumfries. In addition there were some non-royal custom jurisdictions. Dunfermline Abbey possessed the customs of Dunfermline, Kirkcaldy, Queensferry, and Musselburgh; the Earl of Moray held the customs of Elgin, Forres,

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<sup>15</sup> *R.R.S.*, V, nos. 91, 288-9, 308.

<sup>16</sup> *R.R.S.*, V, nos. 77-8, 86, 163. *Charters, Writs and, Public Documents of the Royal Burgh of Dundee, 1292-1880*, edited by W. Hay (Dundee, 1880), pp. 9-12.

<sup>17</sup> M.H. Mills, "The Collectors of Customs" in W.A. Morris and J.R. Strayer (eds.), *The English Government at Work, 1327-1336*. Vol. II, *Fiscal Administration* (Cambridge, Mass., 1947), p. 168; N.S.B. Gras, *The Early English Customs System* (Cambridge, Mass., 1918), p. 595; E.M. Carus-Wilson and O. Coleman, *England's Export Trade, 1275-1547* (Oxford, 1963), p. 194.



Inverness, and Lochmaben; the Bishop of St Andrews presumably held the customs there. The Earl of Fife may have been granted Cupar's customs after 1328; and in 1351 the customs of goods in the burgh, port and regality of Arbroath were given to Arbroath Abbey.<sup>18</sup> The first half of the fourteenth century was the high point in the Crown's grants of complete jurisdictions to others, perhaps because the great customs were not a vital component of Crown revenue at this time. The custom accounts themselves were regarded as being of secondary importance, and were recorded on the reverse of the burgh ferme rolls.

Some new customing developments occurred in the period covered by these surviving custom rolls. In 1330 duties on English imports, levied at 4d. per £'s value, appear, and around the same time a duty of 1s. per £ on money exported began to be collected. These two duties were recorded in the provosts' accounts, together with, though not included in, the custom accounts.<sup>19</sup> From 1331 foreign merchants paid double custom duties, except at Berwick-upon-Tweed.<sup>20</sup> None of these new charges proved to be enduring. Acts imposing money export customs were frequently passed, but rarely implemented. Higher custom duties for foreign merchants disappeared in the 1360s. English import taxes vanished even before this, but were resurrected in the following century and remained in place until the close of the sixteenth century, making them the only imports liable for great customs. These short-lived new duties do not represent any major alteration in the Scottish customing system, and the basic structure, similar to the 1275 English customs, continued. In stark contrast, there were dramatic changes in English customs system in the first half of the fourteenth century. Customs on wool, woolfells, and hides were raised and there was an expansion of customable goods. Notably, all imports and exports became subject to a general *ad valorem* tax, while additional taxes on the customable goods, in the form of subsidies, were introduced.<sup>21</sup>

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<sup>18</sup> See Chapter 3, pp. 68, 73-4, 78, 81.

<sup>19</sup> *E.R.*, I, pp. 314-22, 349-64.

<sup>20</sup> Some of the early references tend to suggest the double customs were levied on all non-burgesses in the customing burgh. The accounts in 1331 for Aberdeen and Linlithgow, however, state the higher rate was for foreign merchants. In subsequent years it is clearly stated the *mercatorum extraneorum* paid double duties. The editor of *The Exchequer Rolls of Scotland* speculated that these different rates may have been used prior to 1331. This assumption was made because in some accounts the gross charge was different from the monetary total of the individual goods. This idea can be discredited, as most of the discrepancies can be attributed to simple clerical mistakes. *E.R.*, I, p. xcvi, and note 1 on p. cxxxvi.

<sup>21</sup> For the development of the English customs system, see N.S.B. Gras, *The Early English Customs System* (Cambridge, Mass., 1918).

The early 1330s saw a renewal of Anglo-Scottish warfare. In 1333 Berwick-upon-Tweed was lost to the English and thereafter the burgh and its customs remained almost permanently in English hands.<sup>22</sup> The customs of the other burghs south of the Forth were also, albeit briefly, paid to the English Crown during English forays into Scotland.<sup>23</sup> The administrative disruption caused by continual warfare may help to explain the disappearance of the custom rolls after 1333 and their limited survival to 1357. Only the three rolls for the audits in 1340-41 and 1343 survive in this period, during which a limited number of jurisdictions rendered accounts that contained drastically reduced receipts.<sup>24</sup> The Exchequer and the custom system continued, but in a weak and ineffectual manner. Linlithgow's 1359 account noted that customs had not been rendered since 1343, and similar long-term omissions for the sheriffs of Clackmannan, Stirling, and Kinghorn were recorded. Moreover, no audit at all appears between 1343 and the Scottish defeat at the battle of Neville's Cross in 1346.<sup>25</sup>

Following his defeat at Neville's Cross in 1346, David II (1329-71) was held captive in England. In 1357 his ransom was set at 100,000 merks, to be paid over a ten-year period. All potential sources of income were exploited to fund the ransom payments, not least of which was the greater exploitation of the great customs.<sup>26</sup> The custom accounts from the final years of the 1350s have survived. They show custom duties were initially doubled from April-Whitsunday 1358, and tripled within a year.<sup>27</sup> The duties on foreign merchants were also increased, but the monetary difference was maintained rather than their custom

<sup>22</sup> For Berwick-upon-Tweed's customs under English control see J. Tuck, "A Medieval Tax Haven"; and J. Donnelly, "An Open Port: The Berwick Export Trade, 1311-1373", *Scottish Historical Review*, LXXVIII (1999).

<sup>23</sup> Following the Scottish army's defeat at Halidon Hill in July 1333, the lands to the south of the Forth, with their custom revenues, were ceded to Edward III. Customs for Edinburgh, Linlithgow, Dumfries, Haddington, and Roxburgh were paid to Edward III in 1335-36. The inclusion of Roxburgh is interesting, since the burgh never appeared in the custom accounts; the jurisdiction was obviously intended to custom the land trade. *C.D.S.*, III, pp. 317, 320-1, 343-346, nos. 1127, 1186, 1214.

<sup>24</sup> The only jurisdictions in these rolls were for Edinburgh, Linlithgow, Inverkeithing, Perth, Dundee, Aberdeen, and Ayr. There are, in addition, surviving custom accounts for Elgin and Inverness in 1337 which have been preserved as a result of the revenue of the regality of Moray temporarily being paid to the Scottish Crown during John, Earl of Moray's captivity in England. *E.R.*, I, pp. 444, 446-7.

<sup>25</sup> *E.R.*, I, pp. 563, 573, 575, 601.

<sup>26</sup> There were re-valuations of church and lay land, taxes on rents and profits from land, an increase in the duty on money exports, and compulsory purchases of wool and woolfells at prices below the market value. *E.R.*, II, pp. xxxvii-xxxviii, xli.

<sup>27</sup> The triple duty was applied to woolfells and hides at Michaelmas and Martinmas in 1358 respectively, and wool from Whitsunday 1359. *E.R.*, II, p. xli.

rates being doubled.<sup>28</sup> The annual ransom payments were reduced to 6,000 merks per year in 1365, yet the Crown's desperation for money continued, partly for ransom payments and, increasingly, to fund its own extravagance. In 1366 an additional one-off payment of 6s. 8d. per sack of wool was imposed on wool customed after the 2<sup>nd</sup> of February 1366. Two years later all the custom rates were permanently increased to quadruple the pre-1357 level.<sup>29</sup> In little more than a decade custom duties had been increased four-fold; these rates would thereafter remain unaltered for over two centuries.

In its insatiable appetite for ready cash, the Crown partially leased the customs between November 1359 and April 1360,<sup>30</sup> and then fully leased them to the burghs, for 5,000 merks, until November 1361.<sup>31</sup> Between November 1360 and June 1361, the accounts contain monetary payments for only woollfells and hides. The wool customs presumably continued to be leased, and certainly the Chamberlain's account records the sale of leases.<sup>32</sup> Thereafter, despite the Crown's cash needs, the practice of leasing customs did not continue. These leases and the frequent entries for total monetary customs for all goods means that analysing exports in the accounts between 1358-61 is virtually impossible.

The changes in the political boundaries in 1333, the result of the loss of Berwick-upon-Tweed, by far the most Scottish important port, necessitated changes to the custom jurisdiction boundaries. Haddington was established as a separate jurisdiction, to custom goods previously sent to Berwick, and this had to be augmented by a jurisdiction at Dunbar from the 1370s, to custom goods from the Marches. In reality Edinburgh benefited most from the loss of Berwick, and as a result, became by far the most important port and burgh in Scotland for centuries to come.

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<sup>28</sup> Initially native wool was customed at 6s. 8d. and foreigners paid "double customs" of 13s. 4d., a difference of 6s. 8d. Following the trebling of native customs to 20s., foreigners paid 26s. 8d., still a difference of 6s. 8d. per sack of wool. The sole exception to these monetary differentials was in Edinburgh's 1362 account, when foreigners paid an extra 13s. 4d. per sack of wool.

<sup>29</sup> *A.P.S.*, I, p. 504a.

<sup>30</sup> After November 1359 different agreements appear to have been made; Edinburgh and Linlithgow paid only half the customs duties on wool exports, while the other half remained in the hands of their burgesses. In Haddington all the wool listed paid full duties. Reference was made to the other half remaining in the burgesses' hands; presumably only half of the burgh's wool exports were in the account. Perth's account states that everything remained in the hands of the burgesses after Martinmas 1359.

<sup>31</sup> Each burgh paid their individual lease to John Mercer for the ransom payments. *E.R.*, II, p. 55.

<sup>32</sup> *E.R.*, II, pp. 64-70, 73.



The custom system underwent some other minor changes in the years following David II's return to Scotland. The customs of Aberdeen and Inverkeithing were briefly granted by David II as a dowry to Margaret Drummond,<sup>33</sup> but the older non-royal custom jurisdictions came under some form of royal control. Previously the Bishop of St Andrews possessed the customs there, but from this time he had the right to only the old duties, i.e. 6s. 8d. per sack of wool, with the additional rates going to the Crown. Likewise, though he had been granted the customs of the goods in the burgh, port and regality of Arbroath as recently as 1351, the Abbot of Arbroath now received only the old custom rates. An exception was Dunfermline Abbey, which maintained all the custom duties from their jurisdiction.<sup>34</sup> In 1364, measures designed to prevent wool evading custom duties were implemented.<sup>35</sup> No doubt the increased duties gave a greater incentive to try to evade them; in a secret treaty of 1364 regarding the succession to the Scottish throne, the English king attempted to woo Scottish merchants by promising to re-introduce the old custom rates.<sup>36</sup> Customs on money exports, English imports, and the higher rates for foreigner merchants disappeared, and from 1362, duties on English wool exported from Scotland appear in the accounts.<sup>37</sup>

The custom system at the time of David II's death in 1371 remained basically the same as in the last years of his father's reign. Duties continued to be imposed on only a small range of export commodities and, with the exception of the disruption caused by the loss of Berwick-upon-Tweed, the custom jurisdictions were largely unaltered. The important difference, however, was that the increased duties and greater exploitation gave the customs considerably more importance in terms of Crown revenue than previously. The custom accounts now proudly occupied the front of the rolls and the burgh's accounts were relegated to the reverse.

From David II's death in 1371 until James I's return from captivity in England in 1424, Scotland was ruled by a succession of men who can at best be described as weak and ineffectual; Robert II (1371-90), Robert III (1390-1406), the duke of Albany and later his son Murdoch, the governors of Scotland while James I was a prisoner (1406-24). A

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<sup>33</sup> *E.R.*, II, pp. 143-4, 301-2, 343.

<sup>34</sup> See Chapter 3, pp. 68-9, 74, 78.

<sup>35</sup> *A.P.S.*, I, p. 496.

<sup>36</sup> *A.P.S.*, I, p. 494a.

<sup>37</sup> For English wool exports via Scotland see Chapter 6, pp. 144-6.

combination of weak leadership and powerful magnates led to instability and lawlessness,<sup>38</sup> factors which certainly had a bearing on the customs.

The Crown used the custom revenues, along with other forms of royal income, in an attempt to buy the support of feudal barons. From Robert II's reign heritable pensions and annuities were granted as retaining fees (*pro retinentia*), and the nobility received numerous exemptions from customs.<sup>39</sup> These gifts, however, may not have been sufficiently large to ensure the loyalty of the greater nobles.<sup>40</sup> In the case of the customs, at least, the Crown was powerless and/or unwilling to prevent custom evasion by those under the protection of great nobles, or even to stop the nobility stealing the collected custom revenues. New jurisdictions were created; at Dunbar and North Berwick in the 1370s, Kinghorn in 1381, and Crail in 1409. Additionally, Cupar in the 1380s, and Arbroath in the following decade, began to render accounts to the royal Exchequer. Yet new and established custom jurisdictions alike disappeared for long periods, either because they had been granted to, or appropriated by, powerful nobles, or because customars for some other reason failed to appear.<sup>41</sup>

There were attempts to introduce new custom duties in the period. In April 1398 Parliament decreed customs were to be paid on salmon, grilse, cloth (grey, white and coloured), tallow, butter, meat, and horses. Sir Patrick Graham was created the keeper and receiver of these customs, and he was empowered to appoint customars throughout the realm. Additionally he was to receive the duty which had previously been imposed on English cloth. The office had originally been gifted to John of Schaw, but it was revoked because it had been made without the consent of Parliament and was deemed to be against the commonweal of the realm. By the following January, however, the burghs had managed to secure an agreement that if they paid part of a general contribution, the customs on wool, woolfells, and hides would not be increased, and they would be free from any imposition on

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<sup>38</sup> One chronicle even went so far as to say "in those days there was no law in Scotland, but he who was stronger oppresses him who was weaker". R. Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, 1978), p. 209.

<sup>39</sup> *Ibidem*, pp. 210-3; *E.R.*, III, pp. lxxxii-v.

<sup>40</sup> A. Grant, *Independence and Nationhood*, p. 131.

<sup>41</sup> There are no accounts for Ayr 1378-1408, 1418-25, Inverkeithing 1393-1406, Crail 1413-25, Inverness 1387-1405, Banff 1392-1424, and Kinghorn 1407-11. The Bishop of St Andrews was granted the customs there after 1405. North Berwick was given to the Earl of Douglas 1386-87. For complaints about custom officials failing to appear at the Exchequer see: Inverness 1383, 1408; Edinburgh 1394; Haddington 1409; Dunbar 1408, 1414-16; Kinghorn 1391, 1408; and Inverkeithing 1391.

salmon. On the other hand, the earlier order, concerning the customs on English cloth imports, and exports of cloth, flesh, butter, horse and cattle and additionally salt, was to stand.<sup>42</sup> Apart from a reference in 1400 to Sir Patrick Graham having to make a payment of £50 from the petty customs and the new impositions, there is little surviving evidence of these duties being collected.<sup>43</sup> They do not appear in the accounts of either the customars or the Chamberlain. Even if they were not levied or were in force for only a limited period, new customs were clearly still seen as a priority. In 1405 the Bishop of St Andrews was granted all the great customs on wool, woolfells, and hides in his territory, and he was in future also to have the additional levies on these goods and those on meat, fish, and others commodities.<sup>44</sup>

In 1371-1424 forlorn attempts were made to reform the custom system. New jurisdictions were created, old non-royal jurisdictions were to become the property of the Crown, and a new range of customable goods was to be established. In reality the weak and ineffectual monarchy meant more jurisdictions disappeared from the accounts, for whatever reason, than were created; the new duties do not appear to have been implemented; and pilfering and smuggling became commonplace.

### III. 1424-37

James I (1406-37) returned from captivity in England in 1424, and quickly set about reforming and strengthening royal finances and administration. The powers of the Chamberlain, who had previously received nearly all the Crown's revenues, were curbed. The office's financial function was divided in two. The Treasurer was to receive the revenue from feudal casualties and the profits of justice, and the Comptroller came to have responsibility for land revenue and the customs.<sup>45</sup> In a move that would be followed by his successors, James I attempted to halt the constant drain of custom revenues from the Crown's purse. In 1424 all the custom revenues were annexed to the Crown to "byde and remane with the king till his leuing". Additionally, those claiming to hold grants, pensions,

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<sup>42</sup> *A.P.S.*, I, pp. 571, 574.

<sup>43</sup> *E.R.*, III, p. lxxii.

<sup>44</sup> *E.R.*, III, pp. 623-4.

<sup>45</sup> A.L. Murray, "The Comptroller, 1425-1488", *Scottish Historical Review*, LII (1973).

and annuities payable from the customs were to present their rights to the king and his council for them to decide whether they should be continued.<sup>46</sup>

More importantly for a study of overseas trade, new customs duties were introduced and, unlike previous attempts, definitely levied. In 1424 James I's first Parliament imposed various *pro rata* export duties on marten, polecat, otter, fox, hart, hind, roe, doe, and rabbit skins. Scotsmen were required to pay 4s. and foreigners 6s. for each last of herring they exported, although in practice only foreigners appear to have been customed. *Ad valorem* duties, 1s. per £, were levied on horses, sheep, and cattle exports.<sup>47</sup> This was not the first time livestock had been customed, nor were they new rates, and, as on previous occasions, they did not appear in the custom accounts. The following year all woollen cloth exports were to pay customs of 2s. for each £'s worth. Salmon exported by strangers (foreigners) paid 2s. 6d. in the £, and two years later it was enacted, though without being enforced, that natives were also liable. English imports were subject to a duty of 2s. 6d. in the £.<sup>48</sup> Salt customs appeared in the accounts from 1428, presumably paying *ad valorem* duties at an unknown rate.<sup>49</sup> In the final years of James's reign various sheep and lambskins such as shorlings, scaldings, futefells, and lentrenware appear in the accounts. They were customed at *pro rata* rates. Edinburgh, Linlithgow, Dundee, and briefly Stirling rendered separate cloth accounts, and Aberdeen had accounts for both salmon and cloth. Elsewhere, the new customable goods appeared in the normal custom accounts, although they may have been customed by separate officials.<sup>50</sup>

It has been argued that the custom duties on wool were reduced, to compensate for the new levies.<sup>51</sup> Parliament did stipulate that the stone for weighing wool and iron was to contain 16 lbs., having previously contained 15 lbs. Such alterations to assize measures do

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<sup>46</sup> *A.P.S.*, II, c. 8, p. 4.

<sup>47</sup> *A.P.S.*, II, p. 6.

<sup>48</sup> *A.P.S.*, I, p. 571; II, c. 19, p. 8; c. 1, p. 13.

<sup>49</sup> It is possible that the Exchequer was attempting to re-introduce the original customing procedure when, in 1467, Edinburgh's customars were commanded to levy customs of 2s. per £ on salt and woollen cloth exports.

<sup>50</sup> For example, Inverkeithing's customars in 1429 were James Schaw and David Story, but the cloth contained in account was stated as being customed by Henry Winsister.

<sup>51</sup> A.W.K. Stevenson, "Trade with the South, 1070-1513", p. 194.



not necessarily mean a change in weight; the custom sack-weight may not have increased at all.<sup>52</sup>

In all probability James I did not alter the customs duties on wool, while customs on woolfells and hides remained unaltered, and there was no increase in the duties on the new customable goods during his reign. The monarch was, however, shrewd enough to ensure that the custom duties, in real terms, remained the same when the coinage was debased by a fifth, in ca. 1431.<sup>53</sup> The goods in the customs accounts were given in old money, but the totalled figures were converted into the new money, i.e. a fifth higher, and the customar was liable for this higher amount. This policy was abandoned shortly after James I's death, and was the only occasion when the Crown attempted to maintain the real value of the custom duties in the face of devaluation. Thereafter after each successive Scottish devaluation the custom duties fell in real terms.

The changes in custom administration were clearly the result of the strength of James I's personal rule. Pensions and gifts from the customs were severely curtailed, and the nobility no longer viewed the customars as potential targets for robbery. Attendance of custom officials at the Exchequer was considerably better. Most importantly, customs were successfully introduced on a wide range of goods for the first time.

#### IV. 1437-1475

The widening of the custom base was not to last, as all the custom duties introduced during James I's reign lapsed following his murder in February 1437. Their re-introduction occurred in a piecemeal fashion over the succeeding thirty years.

Cloth, salt, and miscellaneous fell customs re-appear from 1452, coinciding with James II's maturity. The salt and fells customs, however, were not universally applied since James II granted a number of privileged burghs exemptions from the duties. In the 1460s the Exchequer made strenuous attempts for these duties to be comprehensively levied. Salt was

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<sup>52</sup> *A.P.S.*, II, p. 12. In 1340 in England, for example, it was stipulated the sack-weight was to contain 26 stone of 14 lbs., rather than 28 stone of 13 lbs. The sack-weight, therefore, continued to weigh 364 lbs. R.D. Connor, *The Weights and Measures of England* (London, 1987), p. 131.

<sup>53</sup> *E.R.*, IV, p. cxxiv.

customed, though the burgesses of the privileged burghs managed to maintain their freedom from fell customs well into the sixteenth century. English imports duties re-appear in the mid-1440s; up to 1452 they were levied only on Englishmen, after which everyone was customed. Salmon was again customed from the 1440s. Salmon customs were levied only on English or foreign merchants, despite an act in 1450 requiring natives to pay duties.<sup>54</sup> The Exchequer's initial attempts in the late 1460s to impose salmon customs across the board failed. They had more success several years later, and by 1474-75 natives and foreigners alike were liable for salmon customs. In 1450 it was also decreed that other fish exported by natives were to be customable. Sea fish, however, appear in the accounts only in the late 1460s, and the customs appear to have been be universally applied in the early 1470s.

By the early 1470s all the goods that had been customed in James I's reign were customed again in a fairly comprehensive fashion. The customs, however, were not entirely the same as had pertained in the 1420s and 1430s. Instead of *ad valorem* duties, salmon, salt, and, to some extent, cloth were customed at *pro rata* rates. Everyone was liable to pay duties on salmon and sea fish exports. Customs on English imports were collected in kind as well as in money, and inhabitants of certain privileged burghs were exempt from miscellaneous fell customs.

## V. 1475-1590

In the final three decades of the fifteenth century tallow, coal, re-exports, and victual appear in the custom accounts for the first time, joining the customs on fish, cloth, salt, and English imports, which were all comprehensively re-applied by the early 1470s, together with the long-standing wool, woolfell, and hide customs. Not all exports were customed, and some goods, such as ores with a precious metal content, livestock, and exports by land to England, were not the responsibility of customars.<sup>55</sup> It can, however, be assumed that all the most

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<sup>54</sup> *A.P.S.*, II, c. 6, p. 34.

<sup>55</sup> There are numerous references requiring customars to levy customs only on "customable goods", indicating that not all goods were liable. *R.S.S.*, I, nos. 484, 926, 1896, 2755; II, nos. 540, 976, 1758; III, nos. 880, 1873, 2021; IV, nos. 1627, 1940, 2740, 2892; V, no. 494; V, no. 2327; VI, nos. 522, 551, 669, 2244, 2352, 2235; VII, no. 133. *R.C.R.B.*, I, p. 158. It is unlikely that the export of loose women from Scotland to Flanders, which was decried and banned by the Privy Council, was a customable trade. *R.P.C.*, III, p. 400.

significant overseas exports were customed, and that any diversification in Scottish trade is well represented in the accounts.

From ca. 1460-1600 a series of new custom jurisdictions had to be created to administer the expanded range of customable goods. Jurisdictions were established at Dysart, Pittenweem and Anstruther, Prestonpans, Culross, and Burntisland, to custom sea fish, coal, and salt exports. These were carved out of the older jurisdictions, which remained geared to customing the decaying older export staples. The jurisdictions at Inverkeithing, Kinghorn, North Berwick, Dunbar, and Arbroath were customing so little that they eventually failed to render any accounts to the Exchequer. Most of the other older jurisdictions, however, were equally suited to customing the new trades. Indeed, those in the West and North were better placed to custom the new goods, especially cloth, salmon, and sea fish, than the traditional exports. A degree of re-structuring in the custom jurisdictions was experienced, principally in the Forth, but by and large the basic structure remained intact.

In the early 1460s Edinburgh's cloth and salt customs were leased by private individuals for a fixed rent, the first occasion customs had been leased since the early 1360s. The practice remained relatively rare for the rest of the fifteenth century, and only the remote northern burghs were occasionally held in tack. In the following century leases became commonplace. In particular, burghs from the lower middling rank were frequently leased and rented for long periods. Leases must have represented to the Crown a way of providing a fixed income, while delegating the administrative cost and responsibility to private individuals. Certainly after the initial wave of leases in 1504-12, the main lease periods, 1525-30, 1542-54, and 1558-1572/3, tended to coincide with conflict within the realm.<sup>56</sup>

On occasion the Crown also leased the whole customs of the realm. In October 1510 the Treasurer, Andrew, Bishop of Caithness, and Master Thomas Diksoun, parson of Turriff, leased the customs of the realm for three years for £4,000 annually. The custom accounts continued to be rendered at the Exchequer, but customars paid their receipts to the leaseholders rather than the Comptroller. Between October 1582 and October 1589, the realm's customs were rented by the burghs under the guidance of the Convention of Royal

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<sup>56</sup> A fuller discussion on the custom leases is given in Appendix 9, pp. 791-7.

Burghs, for an annual fee of £4,000 and 30 tuns of Bordeaux wine a year to be delivered to the Crown. The second condition came in response to complaints from merchants that a variety of royal officials had taken wine from them without making any payment. The extractions may have represented some form of wine “prise”.<sup>57</sup> Whatever the legality, any extraction of wine was likely to be strenuously opposed given the massive price increases in the commodity in the second half of the sixteenth century. The merchants were, therefore, willing to deliver 30 tuns, on the proviso that no additional wine was to be taken. Finally, at the close of the sixteenth century all the customs of the realm, including the new import customs, were leased to three separate groups.

Prior to 1550 there were bans on tallow, salt, and, briefly, hide exports. In the subsequent fifty years this became standard policy for a wide range of goods. Hides, skins, wool, coal, salt, tallow, candles, victual, various metals and ores, linen cloth etc. were all banned from being exported at some stage. The legislation invariably stated the bans were to remedy a domestic dearth, yet licences to contravene the bans could often be purchased. The licence holders were, on the whole, still required to pay the custom duties. Outright bans or additional duties in the form of licences must have encouraged illicit uncustomed exports. The degree of smuggling would have depended on the extent of the ban and the ease with which the commodity could be secreted away. In reality the Crown was taking advantage of fears about the supply of vital goods and the greater diversity in the range of exports to collect additional sums from exporters in the form of licences. Of course, if the threat of genuine dearth, and hence unrest, was particularly bad, the licences could be, and were, revoked, quickly stopping the legal export of that commodity.<sup>58</sup>

In the sixteenth century it became increasingly common for a number of smaller jurisdictions with little in the way of custom receipts not to render accounts to the

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<sup>57</sup> The English wine “prise” or “prisage” was an ancient duty, which allowed the Crown to collect a given quantity of wine from each ship importing it, dependent on the size of the vessel. Later the monetary equivalent was levied. In Scotland this wine duty was levied in the early medieval period, but there are few references to it later. The Scottish merchants’ complaints in the early 1580s may have been about its introduction, or re-introduction, excessive extractions, wine rather than money being taken, or even the complete illegality of the operation. *R.C.R.B.*, I, pp. 147-8; N.B.S. Gras, *The Early English Custom System*, pp. 37-43; G.W.S. Barrow, *Kingship and Unity*, p. 56; *The Practicks of Sir James Balfour of Pittendreich*, vol. I, edited by P.G.B. McNeil (Edinburgh: Stair Society, vol. 21. 1962), p. 85.

<sup>58</sup> For a fuller discussion on banned, forbidden, and licensed goods see Appendix 8, pp. 785-90 and the impact on smuggling Chapter 5, pp. 133-6. For the bans on individual commodities see, pp. 140-4, 151-3, 162-3, 178-9, 181, 201, 224-30, 234-6, 251-9, 264-9 below.



Exchequer. On numerous occasions the Exchequer complained about non-attendance, and fines were imposed on those failing to appear. The complaints, however, were essentially for show and to ensure the middling and larger jurisdictions did not follow suit and the fines were, in fact, usually remitted.

In the late fifteenth century and sixteenth century the gifts, annuities, and exemptions granted from the customs diminished dramatically.<sup>59</sup> In 1531 the auditors of the Exchequer were stating that the king could not give “free custom” to any person, and within two decades exemptions were virtually non-existent.<sup>60</sup>

From the closing decades of the fifteenth century and throughout the sixteenth century it can be assumed that the main branches of Scottish trade were customed. Some restructuring of the long established custom jurisdictions was required to service the rise in new customable goods. The rise in the new trades, however, failed to compensate for the substantial long-term decline in traditional exports. A combination of the contraction in trade and the diminishing real value of custom duties ensured Crown revenue from the customs declined. To remedy the decline custom jurisdictions were leased to provide a fixed annual income. Attempts were made to halt the constant leakage of revenue in the form of pensions and custom freedoms, while income was augmented through sales of licences to contravene the numerous export bans.

## VI. 1590-1600

To halt the exactions on wine when they leased the customs of the realm in 1582 the burghs agreed to deliver to the Crown 30 tuns of Bordeaux wine. In 1589 the tack ended and the wine dispute may have been re-ignited, for the following year saw the introduction of the

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<sup>59</sup> Scottish monarchs in the mid-fifteenth century gifted the customs of Stirling, Linlithgow, Cupar, Perth, Kirkcudbright, and Wigtown to their queens, *A.P.S.*, II, c. 22, p. 67; *R.M.S.*, II, nos. 462, 1143, 1365; *NAS*, E.38/236-7, 239, 243-4, 250. The only other significant gift of the customs was to the Duke of Montrose who received the customs of that burgh from 1489-95.

<sup>60</sup> *E.R.*, XVI, p. xlviii. Edinburgh's accounts contain by far the most numerous exemptions from customs, simply because it was the most important port. The number of exemptions underwent a long-term decline in the burgh, although there were periods in which monarchs were especially free in granting exemptions. Around 4% of the goods customed at Edinburgh were free from duties from 1445 to James II's annexation of the customs in 1455; in 1496-1515 the figure was roughly 10%, and in 1527-29 5%.

“impost of wine”. Each tun of French or Spanish wine imported paid to the Crown “three crowns of the sun”, which quickly changed to £8 per tun. The revenues collected were massive. Between November 1590 and November 1591 the net revenue was over £15,000. In subsequent years the receipts fell slightly, as the nobility secured exemptions, and at times the impost was leased. In return for the introduction of the impost the King had promised that the great “customs sall not be alterit nor changeit fra the forme that hes beine usit thir fourtie yeiris bygone sa long as the said impost is liftit”. The monetary success of the impost, however, may have been a catalyst for changes to the custom system.<sup>61</sup>

In January 1596 a review of the revenue of the permanently impecunious Crown noted that despite an increase in ships and sailors the custom revenues had declined.<sup>62</sup> It was abundantly clear to all that overseas trade and the customs were not being exploited to their full potential. Even the English traveller, Fynes Moryson, came to the same conclusion.<sup>63</sup> In the mid-1590s Sir John Skene, the Clerk Register, had noted the prejudice to the Crown of the *pro rata* custom duties on cloth and salmon, compared with the potential returns if they were customed at the original *ad valorem* rates. Consequently, in 1597, new custom duties for cloth and salmon, based on their assessed value, were introduced.<sup>64</sup> The customs on a barrel of salmon rose from 4s. to 37s. 6d., and customs on a dozen of cloth rose from 1s. to 12s. These, combined with the previous year’s rise in wool customs, from 26s. 8d. to 120s. per sack, represented by far the biggest custom re-valuations in the system’s history. Within little more than a decade all exports were customed at 5% of their value, though in reality this was simply a revaluation in the *pro rata* duties, and the “values” were fixed custom assessments rather than actual prices.<sup>65</sup> At the close of the sixteenth century acts requiring merchants to import bullion and present it to the mint in proportion to their exports were imposed. Such statutes were not new but now this time they were enforced.<sup>66</sup> By far the most significant development, however, was the introduction of custom duties on all imports, at the rate of 12d. per £, rather than only on English goods and wine imports: the

<sup>61</sup> *A.P.S.*, III, c. 88, p. 586; IV, c. 8, p. 165. *R.P.C.*, IV, p. 514; VI, pp. 353-4. *E.R.*, XXII, pp. 107-8, 183, 293, 383; XXIII, pp. 41, 143, 195, 271, 288. J. Goodare, *State and Society in Early Modern Scotland* (Oxford, 1999), pp. 114-5.

<sup>62</sup> *R.P.C.*, V, p. 255.

<sup>63</sup> He attributed the lack of customs in Scotland to the Crown’s efforts to stimulate trade. *Early Travellers in Scotland*, pp. 86-7.

<sup>64</sup> A.L. Murray, “Memorandum on the customs 1597” (forthcoming). *Halyburton’s Ledger*, p. cxiv.

<sup>65</sup> See the 1612 book of rates printed in *Halyburton’s Ledger*, pp. 287-341.

<sup>66</sup> *A.P.S.*, IV, pp. 118-9. The table of these duties is printed in Halyburton’s ledger; the entry for a sack of wool containing 14 stone should read 24 stone. *Halyburton’s Ledger*, pp. cxv-cxvi.

success of the latter may have been instrumental in showing the potential of import duties.<sup>67</sup> The impact on customs revenue was dramatic. In February 1599 the Comptroller complained that the tacksmen of the customs for the realm had initially offered £28,000 for the customs, but after the “upcrying of the money” they were prepared to pay only £24,000.<sup>68</sup> Previously the whole of the realm’s customs had been leased for a mere £4,000.

## VII. CONCLUSION

The introduction of import duties at the close of the sixteenth century represented the single greatest change to the Scottish customs administration since its inception. Previously elements had simply been added to the system or changed where necessary. There had been an expansion in the range of customable goods, raised duties, export licences for some goods, custom leases and alterations in arrangement of custom jurisdictions, but the structure of the system had remained basically the same. The relatively insignificant changes in Scotland can be compared with the huge alterations to the same system in England, where scarcely a vestige of their 1275 “new customs” structure could be discerned by the middle of the sixteenth century.

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<sup>67</sup> *A.P.S.*, IV, pp. 118, 135. The rather brief 1597 book of rates for inward custom does not list a number of imports. Timber, iron, salt, woad, pitch, tar, and victual are missing. All were subsequently included in the 1612 version, and all, except victual, appeared in the 1598 inward custom accounts. Victual may have initially been exempt from import duties as indicated in an act of the Privy Council in 1596. *Halyburton's Ledger*, pp. cxii-cxvi, 287-341; *E.R.*, XXIII, pp. 315-21; *R.P.C.*, V, p. 292.

<sup>68</sup> *R.P.C.*, V, pp. 525-6.

## CHAPTER 2

### CUSTOM ADMINISTRATION AND PROCEDURE

In 1425 Parliament decreed that in each exporting burgh there were to be “twa sufficient men... to ressave the kingis custume... and to mak rekning, and give compt thairof at the Kingis checker”.<sup>1</sup> These basic customing procedures have to be understood to determine the value and limitations of the custom records as evidence of exports. This chapter will examine who the custom officials were, how they collected the customs, the procedures involved at the Exchequer, when the customs were paid to the Crown, and the compiling and contents of the custom records. The customing procedure can be seen in context in Dr A.L. Murray’s excellent work on the Scottish Exchequer.<sup>2</sup>

#### I. CUSTOMING GOODS

A merchant wishing to export goods was required to present them to the custumar and the clerk of cocket of the custom jurisdiction. The custumar was appointed by the Crown to assess, levy, and collect the custom duties, or, as contemporaries described it “sett, se, and custume all merchandice and gudis custumable cumand in and passand furth of the realme”.<sup>3</sup> The clerk of cocket was also appointed by the Crown; his duty was to regulate the activities of the custumars. They were to “se the setting and customaryng of all... gudis custumable”,<sup>4</sup>

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<sup>1</sup> *A.P.S.*, II, c. 5, p. 9.

<sup>2</sup> In particular see A.L. Murray, *The Exchequer and Crown Revenue of Scotland, 1437-1542* (unpublished Edinburgh Ph.D. thesis, 1961); “The Procedure of the Scottish Exchequer in the early Sixteenth Century”, *Scottish Historical Review*, XL (1961); “The Custom Accounts of Kirkcudbright, Wigtown, and Dumfries, 1434-1560”, *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, Third Series, XL (1963); “The Custom Accounts of Dumfries and Kirkcudbright, 1560-1660”, *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, Third Series, XLII (1965); “Sir John Skene and the Exchequer, 1594-1612”, *Miscellany One* (Edinburgh: Stair Society, vol. 26. 1971); “The Comptroller, 1425-1488”, *Scottish Historical Review*, LII (1973); “Exchequer, Council and Session, 1513-1542” in J.H. Williams (ed.), *Stewart Style 1513-1542; Essays on the Court of James V* (East Linton, 1996).

<sup>3</sup> *R.S.S.*, I, no. 2755; and *R.S.S.*, III, no. 2462; V, nos. 2327, 2928; VI, nos. 2244, 2247, 2352.

<sup>4</sup> *R.S.S.*, III, nos. 880, 2021, 2060, 2466, 2523; IV, nos. 1627, 1940, 2740; VI, nos. 551, 669.



and it was strictly forbidden for customars to custom any goods without the clerk of cocket being present.<sup>5</sup>

With the aid of his deputies the customar examined and calculated the quantity of goods the merchant wished to export. In addition, a series of lesser custom officials was appointed to assist in the customing process and provide an extra check on the honesty of other officials. The wool exports were weighed by the tronar and his staff on the jurisdiction's tron.<sup>6</sup> In the late fourteenth and the fifteenth century there are references concerning payments to fell and fell and hide counters. In the sixteenth century these payments were not made; the office, however, was theoretically in use. Sir John Skene, Clerk Register, noted that at the end of the sixteenth century "skynnis have bene ever particularlie numberit and tauld be ane officiar deput to that effect, callit numerator pellium, quha as yit ressavis his fie thairfoir, and retenis the name and appellation bot usis nocht the office".<sup>7</sup>

There may have been little need for counters in the sixteenth century, since customars simply estimated the quantities. In 1541 the auditors of the Exchequer ordered the merchants of Dundee to pack their skins and cloth in the same manner as Edinburgh and other burghs, so the customars could estimate the contents. If a merchant was not satisfied with the customar's assessment, the pack was to be opened and the contents counted. If the customar was vindicated, the goods were to be escheat for the king, but if not, the expenses of re-packing were to be borne by the customar.<sup>8</sup> Sir John Skene, however, suggested that customars and merchants collaborated to underestimate the contents of the packs. He claimed that if a pinnok or cordat of skins contained 160 or 180 skins the customar and merchant would agree together to custom it at 120 skins, and a similar abuse occurred with

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<sup>5</sup> The auditors of the Exchequer forbade the customars of Perth to custom any goods without the clerk of cocket being present so that he might record the customs in his accounts. *E.R.*, XV, p. 651. See also *R.S.S.*, III, nos. 880, 2021; IV, nos. 1627, 2740; VI, nos. 551, 669.

<sup>6</sup> In 1364 the Crown specifically stipulated that, to prevent evasion of wool customs, a competent person was to attend the weigh house on its behalf. Shortly afterwards it was decreed that each exporting burgh was to have its own tron to weigh wool, and the Crown was to pay each tronar 1d. per sack of wool weighed. In effect, in return for payments from the Crown, the tronar was to act as a check on the honesty of the customar. *A.P.S.*, I, p. 496. The Crown paid for the upkeep and repair of the tron, and the custom accounts record frequent payments for repairs or new cords, ropes, weights, beams etc. It may, therefore, seem reasonable to assume the custom tron was perhaps distinct from the burgh's market tron.

<sup>7</sup> A.L. Murray, "Memorandum on the customs 1597" (forthcoming). In the sixteenth century officials were occasionally appointed at Edinburgh, and sometimes elsewhere, to see and search all the customable skins. These, however, appear to be searchers rather than individuals employed specifically to count skins. *R.S.S.*, I, nos. 611, 791, 3297, 4056; III, nos. 95, 131, 2444.

<sup>8</sup> *A.D.C.P.*, pp. 507-8.



webs of cloth.<sup>9</sup> It is certainly noteworthy that prior to the final third of the fifteenth century the fell totals in the enrolled accounts were given to the exact fell, but thereafter the totals were nearly always divisible by ten, suggesting that estimates or rounded figures were being used.<sup>10</sup>

If need be, the custumar and his deputies converted the quantities calculated into custom quantities. A barrel of grilse, for instance, would be considered simply as half a Hamburg barrel of salmon for customing purposes. Once the quantity was ascertained it was multiplied by the goods' custom duty, to determine the merchant's liability for each good, and in total. By the sixteenth century, as the range of customable exports expanded, tables of custom duties were needed. These were to be clearly displayed so merchants could not pretend to be ignorant of the charges, and customars could not extort additional dues.<sup>11</sup> Merchants, however, frequently complained about "additional" duties being extracted, and occasionally the Crown upheld their complaints.<sup>12</sup>

Once the merchant's liability had been determined, he would have to pay the custumar the required amount. Little evidence survives about how and when the custom duties were actually paid; presumably they were paid there and then or else a guarantee would be given ensuring future payment. Sir William Fuddes gave surety that the customs would be paid on the salmon customed at Ross and exported by several burgesses of Dundee and Tain.<sup>13</sup> Perhaps, as in England, merchants paid part of the duty as the goods were customed and agreed to pay the remainder after the venture was completed.<sup>14</sup> If merchants' customed goods were not subsequently exported, the custom duties would be repaid or, more likely, the bond for the duty would be cancelled.<sup>15</sup>

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<sup>9</sup> A.L. Murray, "Sir John Skene and the Exchequer", p. 145.

<sup>10</sup> The sixteenth century particular accounts show that skins were customed, and presumably estimated, in thirds or quarters of a long hundred. For example, in nearly a thousand separate entries for fells in Edinburgh's particular accounts from November 1565-February 1567 the only quantities recorded were 30, 40, 60, 90, 120, 150, 180, 240, or 360 fells. NAS, E.71/30/15-16.

<sup>11</sup> *A.P.S.*, III, c. 63, p. 42; c. 12, p. 216. *E.R.*, XXI, p. 553; XXIII, p. 508.

<sup>12</sup> In 1493 Parliament stated that no custumar was to take any more custom duties than statute, and false weights and measures were not to be used to deceive people. *A.P.S.*, II, c. 17, p. 235. The complaint in 1541 that Dundee's custom officials were taking more duties than came to the king's profit, however, was not upheld. *A.D.C.P.*, pp. 500, 507-8.

<sup>13</sup> *A.D.C.P.*, pp. 73-5.

<sup>14</sup> A. Hanham, *The Celys and their World: An English Merchant Family of the Fifteenth Century* (Cambridge, 1985), p. 153.

<sup>15</sup> In 1342, for instance, John Edingham's hides and woolfells were customed at Linlithgow, but because they were all sold in the realm he was not liable for the custom duties. *E.R.*, I, p. 497. Similarly see *E.R.*, VII, p. 586; VIII, p. 621; XVII, p. 57; XVIII, p. 69.

The merchant received a cocket, or certificate, as proof that customs had been paid. Goods could not be legally exported without a cocket, and the cockets also acted as a ship's passport and testimonial of her lawfulness.<sup>16</sup> Cockets were, presumably, issued by the customar<sup>17</sup> and contained specific information about the merchant and the goods,<sup>18</sup> although the Exchequer repeatedly complained about informal or general cockets being given.<sup>19</sup> More importantly, to have legal authority, the cocket had to have the custom jurisdiction's seal attached. Each cocket seal, or matrix, had two sides, one with the name of the jurisdiction, and the reverse with the monarch's name.<sup>20</sup> The customar held and used one half of it, and

<sup>16</sup> *A.P.S.*, IV, c. 27, p. 137. In 1571 it was decreed "na schippis pas furth of this realme to the realme of France or ony vther partis without our soverane lordis coquet". *A.P.S.*, III, c. 9, pp. 59-60. The Admiralty claimed that a ship "being apprehendit without coqueit sey breif or testimoniale of the toun and port quhair scho was ladin is reut and haldin as ane pirat". This practice, they noted, was observed in all realms and countries. *Acts Curiae Admirallatus Scotiae*, edited by T.C. Wade (Edinburgh: Stair Society, vol. 2. 1937), p. 15.

<sup>17</sup> The earliest surviving Scottish cocket was issued by Aberdeen's "keeper of our cocket", presumably the customars. *R.R.S.*, V, no. 126. In 1527 the auditors of the Exchequer demanded that all the customars were to make sure their cockets conformed to those issued by Edinburgh's customar. In the same year Perth's customars were ordered to issue authentic cockets for all the goods going to Dundee by the Tay. In 1570 Perth's merchants mentioned their cockets had "being gevin furth be the customare", while in 1584 customars were discharged from granting cockets for exports of victual or other forbidden goods. *E.R.*, XX, pp. 397-9; XV, pp. 651-2; *R.P.C.*, III, p. 624. In the 1570s there are three references, all concerning salt, in which it is fairly ambiguous whether customars or clerks of cocket issued the cockets. *R.P.C.*, II pp. 264-5; III, pp. 638-40; *R.S.S.*, VII, no. 1642. At the close of the sixteenth century there is a reference to the clerks of cocket issuing cockets, when particular instructions were given to them about what was to be included in the "cocquettis gewin and grantit". *A.P.S.*, IV, c. 26, p. 137; *E.R.*, XXIII, p. 510. There may have been some blurring of the distinction between the offices of the customar and clerk of cocket towards the end of the century. In 1574 Walter Scot was appointed as both the customar general and the clerk of cocket of Dysart. *R.S.S.*, VI, no. 2352. For most of the period, however, issuing of cockets was the customar's responsibility. They were ultimately accountable for any cocket issued, as indicated in the numerous references to cockets being presented to the Exchequer for which the issuing customars were charged. Moreover, the English equivalent of the customars, the collectors of the customs, issued cockets. N.S.B. Gras, *The Early English Customs System* (Cambridge, Mass., 1918), p. 9.

<sup>18</sup> In 1570 Perth's merchants self-righteously claimed the cockets they received contained all the relevant information, namely "specifiand and contenand the gudis, geir, marchandies, and quantite... with the day of the moneth and yeir quhen and quhair the samin was customat and the customes thair of payit". *R.R.S.* V, no. 126. None of the few surviving cockets give the actual monetary customs. All the other information listed above was generally recorded. NAS, E.75/1-9; E.71/3/1.

<sup>19</sup> In 1527 all the customars were ordered to have their cockets conform to the standard of Edinburgh's cockets. They were to record the wool in sacks and stone, the number of hides, fells, and dozens of cloth in the cockets. In the same year Perth's customars were ordered to specify the commodity, the quantity and who owned which particular goods in the cockets they issued. *E.R.*, XV, pp. 651-2. Nevertheless some of the surviving cockets from the 1570s list only rolls of cloth or packs of hides. NAS, E.75/9/3, 12. At the end of the century the auditors were still claiming damage was done through the issuing of general and "informal" cockets. It was, therefore, decreed that cockets were to list the type and particular quantity of the goods, the names of the owners and merchants and how much belonged to each merchant. *A.P.S.*, IV, c. 26, p. 137; *E.R.*, XXIII, p. 510.

<sup>20</sup> *R.P.C.*, I, p. 547; H. Laing, *Descriptive Catalogue of Impressions from Ancient Scottish Seals* (Edinburgh: Maitland Club, vol. 68. 1850), p. 215. There are several payments for making new cocket seals in the custom accounts. These generally coincide with the creation or resurrection of a custom jurisdiction. *E.R.*, I, p. 118; II, pp. 197, 533; III, pp. 381, 630; IV, pp. 108, 247; V, p. 146; XVII, p. 458.

the clerk of cocket was in possession of the other half.<sup>21</sup> This ensured that goods were seen by both the customar and the clerk of cocket who would attach the seal together. As a result the customar could not custom goods without his work being scrutinised by the clerk of cocket.

There were complaints about delays in the custom officials' issuing of cockets, and in 1567 Parliament ordered officials not to withhold or delay the issuing of the cocket of any ship ready to sail.<sup>22</sup> In 1534, because of an order which prohibited sailing to England (war seemed likely), customars refused to cocket certain herring and codling belonging to Nicholas Carncors and his associates.<sup>23</sup> Custom officials might also have had more selfish reasons for refusing to cocket goods. A clerk of cocket at Edinburgh once refused to cocket goods unless merchants paid him additional unwarranted sums, and a number of similar complaints are recorded.<sup>24</sup>

Merchants were still not entirely free to export their customed and cocketed goods. They may have been required to swear an oath that their cargoes did not contain any forbidden goods, or merchandise not listed on their cocket.<sup>25</sup> Moreover, the goods and cockets had to pass a series of searchers. The first surviving references to searchers appear at the close of the fifteenth century. An act of Parliament in 1493 mentions the king's depute searchers, who were employed to search foreign merchants' consignments.<sup>26</sup> Later it was noted they were employed to "serche all schipis and gudis laidnit thairin and gif samen be dewlie customat or nocht, and to that effect, geveand thame power to lois the guidis being in

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<sup>21</sup> When Patrick Seller renounced his position as customar of Linlithgow he was to relinquish his half of the cocket seal. *E.R.*, XXIII, p. 507. In the late 1590s customars were ordered to hand in their half cocket seals. *R.P.C.*, V, p. 508. Similarly see *R.P.C.*, I, p. 547, and *E.R.*, II, p. 533; XXI, p. 555. Master Thomas Ramsay, on his appointment as the clerk of cocket at the Pittenweem Group, was to have the use of the half cocket seal within that jurisdiction. *R.S.S.*, VI, no. 2296. A number of the other appointments of clerks of cocket specifically state they were to keep half of the cocket seal. *R.S.S.*, I, no. 791; V, no. 2711; VII, no. 133. See also *R.P.C.*, I, pp. 566-7; II, pp. 456-7; *E.R.*, XXII, p. 555.

<sup>22</sup> *A.P.S.*, III, c. 63, p. 42.

<sup>23</sup> *A.D.C.P.*, p. 413.

<sup>24</sup> *R.P.C.*, II, pp. 456-7. In 1592 a complaint was made about the extortions of the clerks of cocket in taking duties as they pleased, and hindering and delaying merchants in their voyages through their sloth and wilfulness. *R.C.R.B.*, I, p. 379. Robert Barton took the abuse to extremes, refusing to custom goods unless the merchants agreed to place their goods in his ships. *A.D.C.P.*, pp. 128-30.

<sup>25</sup> *E.R.*, XXIII, p. 510.

<sup>26</sup> *A.P.S.*, II, c. 12, p. 234. Six years before this act, searchers were to be employed to ensure that only famous, worshipful men, with at least half a last of goods, sailed to Flanders, Holland, or Zealand. *A.P.S.*, II, c. 12, p. 178. The first surviving letters of appointment came in 1497, when persons at Aberdeen and Edinburgh were to search for all uncustomed merchandise, and for gold, silver, tallow and other goods which were forbidden to be exported. *R.S.S.*, I, nos. 159, 190.

bodum als oft as thai sall think expedient".<sup>27</sup> Importantly, and perhaps their real significance in the sixteenth century, they were to seek out forbidden and banned goods.<sup>28</sup> In the second half of the sixteenth century, except at Edinburgh, the searchers generally also held another custom position in the jurisdiction. Thomas Nicholson, for instance, was appointed the clerk of cocket and the searcher for Aberdeen in 1554.<sup>29</sup> This was presumably because, with the exception of Edinburgh, all the burghs' exports were so limited that a separate searcher was deemed unnecessary.

Searchers were appointed in each custom jurisdiction, while the provost, bailies, and communities in individual burghs were held responsible for ensuring that forbidden goods were not exported, and could appoint temporary searchers to assist.<sup>30</sup> In the second half of the sixteenth century, general searchers were appointed for extensive areas, or even for the whole realm, to search for uncustomed and, more importantly, forbidden goods;<sup>31</sup> there may have been some conflict of interest between these offices.<sup>32</sup> In addition, the Conservator of the privileges of the Scots nation in Flanders, was empowered to, and did, search and find forbidden and uncustomed goods arriving from Scotland.<sup>33</sup>

The custom officials were only responsible for collecting duties on customable exports.<sup>34</sup> From the final decades of the fifteenth century most goods were liable for customs,

<sup>27</sup> *R.C.R.B.*, I, p. 227.

<sup>28</sup> In 1526 they were to search all ships to ensure tallow was not exported. *A.P.S.*, II, c. 4, p. 314. For other examples relating to searchers and forbidden goods see, *A.P.S.*, III, pp. 455, 460, 556, 579; IV, pp. 18, 121. *R.S.S.*, I, no. 190; VI, no. 2235.

<sup>29</sup> *R.S.S.*, IV, no. 2740. For appointments of clerks of cocket and searchers, *R.S.S.*, I, no. 791; IV, nos. 1085, 1120; V, nos. 1120, 1278; VI, nos. 551, 669, 2287, 2296; VII, nos. 133, 273; VIII, nos. 1163, 2170. Customar and searcher *R.S.S.*, I, nos. 611, 1345; II, no. 540, V, no. 2327. Tronar and searcher *R.S.S.*, II, no. 1256; III, no. 56. For separate searchers appointed at Edinburgh, *R.S.S.*, II, nos. 1270, 3508; III, nos. 160, 2037; and occasionally at the Pittenweem Group and Haddington *R.S.S.*, II, no. 2508; III, nos. 43, 1431, 1567; VI, no. 2235; VIII, no. 1880.

<sup>30</sup> The community of Edinburgh was to ensure no forbidden goods were exported from the Forth, and Dundee had a similar responsibility on the Tay. *R.P.C.*, IV, pp. 74, 159.

<sup>31</sup> In 1555 William Ker, younger, burgess of Edinburgh, was to be the searcher throughout the realm for foreigners exporting forbidden and uncustomed goods. *R.S.S.*, IV, no. 3058. James Mowbray of Petlevar was the searcher-general for all forbidden goods exported. The office appears to have been afterwards restricted to north of the Forth, and it was later claimed that he abused the position. *R.S.S.*, VII, no. 1598; *R.P.C.*, III, p. 303; *E.R.*, XX, pp. 546-7. James Campbell of Arkinglas held a similar position on the West coast. *R.S.S.*, VIII, no. 1862.

<sup>32</sup> During the leasing of the customs the commissioners of the burghs were permitted to appoint searchers in addition to the king's searchers. They were to perform similar tasks, but those appointed by the commissioners were not to do anything without the concurrence and assistance of the king's searchers. *R.C.R.B.*, I, p. 227.

<sup>33</sup> *R.P.C.*, I, pp. 332-4; II, pp. 473-5; III, p. 136. In 1576 persons were sent to Flanders to try the exporters of forbidden goods. *R.C.R.B.*, I, p. 46.

<sup>34</sup> Under the Scottish custom system, not all exports were customed, and customars could only levy duties on customable goods. *E.R.*, VII, p. 589; VIII, pp. 131, 257-8, 260.



though there were some general exemptions.<sup>35</sup> Aberdeen's burgesses were free from salmon customs, 1482-1537, and burgesses in a number of privileged burghs did not have to pay customs on miscellaneous fells. The custom officials may have searched exports of such goods as were not liable, or were exempt from customs, to ensure that no customable goods were secreted away, but otherwise they were allowed to pass without going through the customing procedure. These goods, therefore, were not recorded in the custom records.

In contrast to this, merchandise belonging to individuals who were freed from customs, for whatever reason,<sup>36</sup> still underwent the customing process, even though custom duties were not paid. In a copy of a letter granting exemption from customs it was noted that the goods were still required to undergo "ye custume".<sup>37</sup> Like any other customable good they must have been inspected by the custumar and the clerk of cocket and were duly entered into their respective accounts. Letters granting exemption would be produced and no customs would be charged, providing the grantee swore they were his own goods, and did not belong to anyone else under the cover of his name.<sup>38</sup> A cocket may have been produced for the goods, or else the letter of exemption was deemed sufficient. Such goods appeared in the accounts of the custumar, but the official would show evidence that the duties legitimately had not been collected.

Finally, if goods had already been customed at another jurisdiction, no additional custom duties were levied. The merchants probably paid a fee to the custom officials, and new cockets may have been issued. Certainly the customars of the second jurisdiction appear to have kept the original cocket as proof that custom duties had been levied elsewhere.<sup>39</sup>

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<sup>35</sup> For the best description of custom exemptions see A.L. Murray, *The Exchequer and Crown Revenue of Scotland*, pp. 151-8.

<sup>36</sup> The Crown's own exports were free from customs, (e.g. *E.R.*, IV, pp. 535, 563; V, pp. 32, 438, 507, 557; VI, p. 5 etc.) and sometimes so were the goods the Crown sold to merchants (e.g. *E.R.*, VI, p. 491; V, p. 613; VII, pp. 219-20 etc.). The Crown also frequently granted institutions or individuals exemptions from customs. This was done for variety of reasons; repaying a debt, a reward, ensuring loyalty etc. The exemptions took a number of different forms; in perpetuity (obviously only for an institution, e.g. Melrose Abbey), the lifetime of the grantee, during the monarch's will, or for a fixed period. They may have been for a specific quantity, a certain annual total, or even for complete freedom from customs. In some cases it appears exemptions became annuities in all but name, rather than freedoms from goods actually exported.

<sup>37</sup> *E.R.*, XIII, pp. 97-8.

<sup>38</sup> A.L. Murray, *The Exchequer and Crown Revenue of Scotland*, p. 153.

<sup>39</sup> A.L. Murray, "The Custom Accounts of Kirkcudbright, Wigtown, and Dumfries", p. 145, and the same author's "The Procedure of the Scottish Exchequer", p. 107. For a fuller discussion of this process, and an analysis of the movement of customed goods prior to export see Chapter 4, pp. 98-122.



In leased jurisdictions the customing process was largely similar. The customable goods were assessed,<sup>40</sup> cockets were issued, and payments were made to the leaseholder. The leaseholder, however, was responsible only for a fixed sum to the Crown, and any custom officials employed to prevent mercantile fraud, including clerks of cocket,<sup>41</sup> were answerable to him rather than to the Crown. In non-royal custom jurisdictions the customing process was presumably virtually identical to the royal jurisdictions. The goods belonging to the citizens and barony of Glasgow were to be troned, weighed, customed, cocketed, and the Bishop of Glasgow was to receive the duties from the customars and factors he had appointed.<sup>42</sup> The gifts of the customs to the Bishop of St Andrews, and the Abbots of Dunfermline and Arbroath all mention their right to have and use their own cocket seal.<sup>43</sup>

### Export Licences

In the sixteenth century it was common for goods to be “banned” from being exported.<sup>44</sup> These bans could generally be contravened if an export licence was purchased. In 1552, for example, because of a great dearth, the Privy Council banned all corn exports, unless merchants had obtained a special licence from the Lord Governor,<sup>45</sup> and customars were not to custom or grant cockets for forbidden goods until the appropriate licence was presented.<sup>46</sup> If the threat of dearth became too great, these licences could be quickly revoked. At the end of the century the lords were not to grant any licence to export forbidden goods until a trial was taken as to whether the inhabitants were sufficiently supplied.<sup>47</sup> Despite having purchased a licence, the merchant was still expected to pay the appropriate custom duties. In 1583 a licence for salt exports was 3s. 4d. per chalder, over and above the great customs and other duties. Somewhat ironically, lists of custom duties for “forbidden goods” were compiled.<sup>48</sup> Certainly custom receipts for licensed goods continued to appear in the custom accounts. In 1554 the Pittenweem Group’s custom account included wheat, which, it was

<sup>40</sup> *R.S.S.*, I, no. 1896; II, nos. 1391, 1758, 1919; III, nos. 1509, 1873; V, no. 1350; VI, no. 1347.

<sup>41</sup> *R.S.S.*, I, no. 1630; II, no. 1758.

<sup>42</sup> *Charters and Other Documents Relating to the City of Glasgow, A.D. 1175-1649*, edited by J.D. Marwick (Edinburgh: Scottish Burgh Records Society, vol. 14. 1894), no. 38.

<sup>43</sup> *R.R.S.*, V, no. 188; VI, no. 123; *E.R.*, III, pp. 623-4.

<sup>44</sup> For an overview of banned and forbidden goods see Chapter 1, p. 16 and Appendix 8, pp. 785-90, and for individual commodity bans and restrictions see pp. 140-4, 151-3, 162-3, 178-9, 181, 201, 224-30, 234-6, 251-9, 264-9 above.

<sup>45</sup> *R.P.C.*, I, p. 137. Likewise see *R.P.C.*, II, pp. 285, 340; II, pp. 588-9; IV, pp. 708-9; V, pp. 159-60, 556.

<sup>46</sup> *R.P.C.*, II, pp. 264-5; III, pp. 638-40.

<sup>47</sup> *R.P.C.*, V, pp. 159-60.

<sup>48</sup> *R.P.C.*, III, pp. 638-40; *NAS*, E.75/11; *A.P.S.*, IV, c. 25, p. 137.

noted, had been exported under a special licence from the Queen.<sup>49</sup> Occasionally the Crown may have granted licences for exporting corn and other forbidden goods free from customs. This practice seems to have occurred mainly when the customs of the whole of the realm were leased. Understandably it infuriated the leaseholders.<sup>50</sup> It was the responsibility of the custumars and searchers to ensure merchants did not export more goods than the licence permitted, though it appears they were not too conscientious about this,<sup>51</sup> and were prone to overlook the offence if sufficient inducement was offered.<sup>52</sup>

In 1583 John Chisholme, Comptroller of the King's Ordnance, was created the collector of the payments for the salt export licences. The revenues collected were to be spent on repairing, mending and augmenting the king's ordnance and munitions, on preparations for war, and on the king's castles, forts and houses.<sup>53</sup> What is far from clear, however, is the precise procedure involved in issuing licences for other goods. The surviving references tend to relate to abuses or changes in procedure, and show a fair degree of jockeying for the right to issue licences, and, importantly, to collect the licence duties. In 1588 it was decreed that licences to export forbidden goods were invalid unless they were subscribed by the Treasurer and the Comptroller sitting together in the Exchequer, and verified on the reverse with a subscription by the Clerk of Register.<sup>54</sup> In 1592 the Treasurer's Register and the Privy Seal were ordered to stop passing licences for forbidden goods. Instead they were to be passed by the King's Court Signet and Register as, according to the order, it had been accustomed in all time past.<sup>55</sup> In the mid-1590s the Octavians, the eight-man commission who took control of the royal finances, held the right to issue licences,<sup>56</sup> but by 1600, the Treasurer and Comptroller were both claiming it was their prerogative to issue licences.<sup>57</sup> It is impossible to disentangle these claims. Possibly the offices had responsibility for different goods. The Treasurer was accountable for exports of metal with a precious metal content, and in 1592 was noted as having the right to issue licences for metals and

<sup>49</sup> Occasionally surviving particular accounts note salt, malt, and wheat were exported with a licence. NAS, E.71/6/8, f. 7v.; 6/9, f. 7; 30/24, f. 32v.; 30/26, f. 43; 30/29, f. 54.

<sup>50</sup> *R.P.C.*, III, p. 624; *A.P.S.*, III, c. 12, p. 379.

<sup>51</sup> In 1577 custumars and searchers were ordered to make sure no more victual than was mentioned on the licence was exported. Evidently they often failed in this duty. *R.P.C.*, II, pp. 588-9, 609. For further claims that more was exported than on licences see *R.P.C.*, I, p. 285; II, pp. 427-8.

<sup>52</sup> *A.P.S.*, III, c. 57, p. 9; IV, c. 15, p. 18; *R.C.R.B.*, I, pp. 76, 212, 379.

<sup>53</sup> *R.P.C.*, III, pp. 638-40. This office of collector and searcher of the salt exported was granted for life, but in 1599 Chisholme complained the office had been bestowed on Edward Johnnestoun, burgess of Edinburgh. *R.P.C.*, V, pp. 512-3.

<sup>54</sup> *R.P.C.*, IV, p. 247.

<sup>55</sup> *R.P.C.*, V, pp. 10-11.

<sup>56</sup> *R.P.C.*, V, pp. 159-60.

<sup>57</sup> *R.P.C.*, VI, pp. 82-3.

ores.<sup>58</sup> There are references to the Comptroller's issuing licences for forbidden goods and victual in 1578 and 1598 respectively,<sup>59</sup> and in the Comptroller's accounts in 1558 and 1597 there are receipts for a licence to export salt and wool.<sup>60</sup> In the intervening years, however, there are no other receipts for licences in the small number of surviving Comptroller's accounts, and the Treasurer's accounts up to 1580 do not contain any revenue accruing from licences. While it is not known exactly how licences were obtained, they were part of the Crown's prerogative, and in 1600 it was ordered that all licences be discharged except those passed in council, and which "pas the hail seallis, and pay compositioun to his hienes".<sup>61</sup>

## II. AT THE EXCHEQUER

The Exchequer sat annually to audit the accounts of the collectors of the royal revenues. Generally it convened between June and August, and the audit lasted from six to eight weeks.<sup>62</sup> In the fourteenth and fifteenth centuries the Exchequer was relatively peripatetic, but by the sixteenth century it was nearly always held in Edinburgh. Accountants were summoned at least forty days in advance of their appointed appearance day, and remained until their accounts were "ended" and they were discharged. Non-appearance or departure before the allotted time incurred the Exchequer's wrath and a fine of £10.<sup>63</sup> If these offences persisted, a warning was given and putting to the horn threatened.<sup>64</sup>

Naturally customars, as collectors of the king's custom revenue, were expected to appear at the Exchequer to have their accounts audited. The clerks of cocket, tronars, and presumably the searchers also appeared, to present their accounts. It was vital that all officials, or their deputies, attended, for their accounts were to act as a check on the accuracy

<sup>58</sup> *A.P.S.*, III, c. 31, p. 556.

<sup>59</sup> *A.P.S.*, III, p. 97b; *R.P.C.*, V, p. 556.

<sup>60</sup> *E.R.*, XIX, p. 77, XXIII, pp. 141-2.

<sup>61</sup> *A.P.S.*, IV, c. 24, p. 231.

<sup>62</sup> This was a convenient time of the year for travelling, but, more importantly, it was after the king's Whitsunday rents were collected. In 1587 Parliament ordained that the Exchequer was to meet from the 1<sup>st</sup> of July to the 31<sup>st</sup> of August annually. *A.P.S.*, III, c. 49, p. 455. Unless otherwise stated, this paragraph has been based on A.L. Murray's work on the Exchequer, see note 2 on p. 20 above.

<sup>63</sup> In 1587 the fine for non-attendance was increased to £40. *A.P.S.*, III, p. 455.

<sup>64</sup> The customars of Aberdeen in 1555 and Ayr in 1597, for example, were fined for non-appearance at the assigned time. *E.R.*, XVIII, p. 286; XXIII, p. 183. In 1573 the auditors of the Exchequer noted that precepts had been issued to various provosts, bailies and customars to appear, but most had disobeyed, and as a result they were to incur an "unlaw" of £10. The customar and clerk of cocket of Dundee were ordered to appear under pain of rebellion in 1577. A threat of horning on Prestonpan's customar, however, was lifted, since he had been prepared to offer his accounts. *E.R.*, XX, pp. 447, 517-8, 533.

of the others.<sup>65</sup> In 1577, for instance, Dundee's account was not admitted because the clerk of cocket did not attend.<sup>66</sup> In the sixteenth century it became increasingly common for custom officials to fail to appear. Exchequer fines were invariably imposed, but rarely enforced in their entirety.<sup>67</sup>

Custom officials occasionally attended the Exchequer audit and gave their oath that no goods had been customed,<sup>68</sup> but more usually they rendered their accounts and declared that nothing else had been passed which was not contained therein.<sup>69</sup> Customars presented accounts called the entry books, which contained entries of each vessel, its date of departure and the individual merchants' commodities. Custom books were also rendered, which summarised the entry books; each commodity, and the merchant, was listed separately. This commodity-based format was considerably more useful for auditing purposes than the chronological entry books. It appears, however, to have been acceptable for smaller burghs to present their entry books alone,<sup>70</sup> and in the sixteenth century, at least, some burghs compiled and presented a hybrid account which listed each commodity separately, but also recorded the shipment details.<sup>71</sup> Generally, so long as the accounts gave the commodities and to whom they belonged, they were acceptable. Thomas Inglis, in his first account as the customar of Pittenweem, was reprimanded when, due to "ignorance" he failed to give the number of barrels and lasts of fish exported.<sup>72</sup> The merchants and the goods had to be recorded so that entries could be checked against the accounts for the tronar (which

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<sup>65</sup> For letters appointing customars which specifically state they were to appear at the Exchequer, see *R.S.S.*, I, no. 2755; III, no. 2462; IV, nos. 2327, 2892; V, no. 2928; VI, nos. 522, 633, 2247, 2352. *A.P.S.*, II, c. 4, p. 314; IV, c. 15, p. 18; p. 98b. Appointments to clerks of cocket occasionally state they were to render their accounts to the Exchequer. *R.S.S.*, IV, nos. 1940, 2740; VI, nos. 551, 669. *R.P.C.*, II, p. 338. For evidence of the appearance of clerks of cocket and tronars at the Exchequer see *E.R.*, IV, pp. 203-4, 226-7 and for not appearing, though were expected to, *E.R.*, III, pp. 95, 321; IV, pp. 76, 250. In 1593 searchers were ordered to appear yearly at the Exchequer. *A.P.S.*, IV, c. 15, p. 18.

<sup>66</sup> *E.R.*, XX, p. 517, also see *E.R.*, IV, p. 170. In 1527 the customar of Kirkcudbright was ordered to bring in the book of customs and the cocket book under penalty of £10. On the other hand, in 1414 and 1415 the Exchequer used the accounts of the clerk of cocket and the tronar to charge Dunbar's customars in their absence. *E.R.*, IV, pp. 203-4, 226-7; XV, p. 362.

<sup>67</sup> For example, see the complete remittance of the £10 Exchequer fines see *E.R.*, IX, pp. 72-3; XI, pp. 364-5; XII, p. 266; XV, p. 442; XVIII, p. 396. The customars of Kirkcudbright in 1501 and Dundee in 1561 and 1563-64 had to pay only £4 and £5 respectively for their £10 Exchequer fines. *E.R.*, XI, p. 373, XIX, pp. 172, 273.

<sup>68</sup> In 1498 Ayr's customar gave his oath that nothing had been customed since the last account. *E.R.*, XI, p. 121, see also *E.R.*, III, p. 213; IV, pp. 246, 497; V, p. 128; VII, p. 282; XVIII, p. 45; XXIII, pp. 186-7.

<sup>69</sup> In 1596 Irvine's custom account included herring, hides, and cloth. The customars gave their oaths that nothing else was customed. In 1486 Aberdeen's customar stated that to the best of his knowledge no cloth had been exported. *E.R.*, IX, p. 144; XXIII, p. 131.

<sup>70</sup> *NAS*, E.71/3/1; 5/1; 8/2; 17/1-2.

<sup>71</sup> *NAS*, E.71/1/1-4, 7-10; 6/1; 7/1-4; 13/1; 20/2; 27/1.

<sup>72</sup> *E.R.*, X, p. 303.



contained only wool) and for the clerk of cocket. These were compiled by the officials from their own records, and were identical in form to the custom book.

The clerks of the Exchequer calculated the totals for each commodity in the custom books. If there were a large number of entries, each page would be sub-totalled first. For the sake of clarity, the clerks noted the totals they had calculated on the account in an ink considerably darker than that used by the customars. The cocket/tronar's books underwent a similar process. The totals for each good in each account were then compared.<sup>73</sup> If the totals did not agree, the accounts were examined in more detail to highlight any discrepancy. Presumably clerical errors were fairly common, yet the potential for fraud always aroused the auditors' suspicion and concern. In the late 1520s, for instance, Perth's custom and clerk of cocket-books routinely failed to agree. The auditors of Exchequer demanded that the two officials convene together under pain of deprivation of office without remission or forgivance.<sup>74</sup> Once the auditors were satisfied that the accounts agreed, the clerks' of cocket and tronars' involvement in the Exchequer was over, and they were free to leave. The customars' participation, however, was far from complete. There was still the matter of paying the collected custom duties to the Crown.

The clerks of the Exchequer multiplied the total quantity for each commodity by the relevant custom duty, and these monetary sums were then added, to give the customar's total custom liability. In addition, the customar may have been liable for extra sums, such as Exchequer fines, or old debts to the Crown, or, occasionally, charges not specifically related to the office. In 1489 Edinburgh's customar, for instance, was charged with £72 10s. which represented the proceeds from the sale of salmon and hides belonging to the King.<sup>75</sup> The total of the goods and the additional sums represented the "charge", the amount the customar owed the Crown.

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<sup>73</sup> It is possible that every entry in the custom book was checked individually with those in the cocket/tronar's book. This was a tedious process and may only have been done when the totals failed to agree.

<sup>74</sup> *E.R.*, XV, pp. 651, 666-7.

<sup>75</sup> Further charges, not related to the customs, include the sale of escheat goods e.g. *E.R.*, III, pp. 219-22; IV, p. 412-3; VII, p. 586, and the herring assize, a levy on catches, at the Pittenweem Group in 1517-25, 1530-34. Berwick-upon-Tweed's accounts between 1465 and 1477 included the burgh's petty customs and sometimes the anchorages; admiralty dues were charged at Kirkcudbright in 1459, and Aberdeen's burgh farms were in their 1439 custom account.



The customar would then present evidence to the Exchequer excusing or “discharging” some of the liability. The deductions or allowances took a variety of different forms.

Firstly, there was money which was owed to the customar. This included his fee, or any additional payments or pensions from the Crown,<sup>76</sup> the expenses of the office (expenditure on writing materials, hire of the customhouse, expenditure on tron etc.), and any over-expenditure from a previous account.

Secondly, the customar did not have to pay for items listed in the charge, that he had not actually collected. Customable goods belonging to individuals and institutions exempt from custom duties were always included in the charge, but since the customar did not receive the duties, he was absolved from them. In a similar manner, the Crown could free individual merchants from their previous custom obligations. If customed goods, for instance, were lost at sea, the Crown sometimes excused the merchant from paying the assessed duties. Consequently, the customar would not be liable for these sums.<sup>77</sup> Occasionally customars were charged with higher custom duties than those actually collected, though customars normally successfully appealed to the auditors and were discharged from paying the higher rate. In 1482, for example, the auditors charged North Berwick’s customar with the new custom duty of 1s. per barrel of herring. The customar claimed on his oath that he did not know of the new duty and had levied herring at only 6d. per barrel. He was discharged from paying the additional 6d. per barrel, and was ordered to levy the higher rate in future.<sup>78</sup> Customars could be mistakenly charged with goods. Goods customed at one jurisdiction and subsequently exported from another should have been included in the original custom jurisdiction’s account only, but occasionally they were mistakenly charged in the second jurisdiction. Obviously, since the customar had not collected the duty, he received a remittance.<sup>79</sup> There are also references to customars successfully appealing against being wrongly charged because goods had been double

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<sup>76</sup> For a fuller discussion of payments by merchants and the Exchequer to the custom officials see pp. 40-4 below.

<sup>77</sup> In 1385 Malcolm Fertsyston did not have to pay the customs on the hides and fells which were cocketed at Stirling and later burnt by the English in Leith. *E.R.*, III, p. 124. For cases of the Exchequer cancelling the customs for goods lost at sea or pirated, *E.R.*, I, pp. 138-9; V, p. 18; VII, p. 283; XVIII, p. 68. For remittances on the English import customs see *E.R.*, VII, p. 579; VIII, p. 385.

<sup>78</sup> *E.R.*, IX, pp. 197-8. See also, for example, the salmon in Aberdeen’s 1473 account, or cloth at Linlithgow in 1502. *E.R.*, VIII, pp. 197-8, XII, pp. 80-1.

<sup>79</sup> Customars presented the original cockets and/or entry books of cockets as proof that goods had been customed elsewhere and so should not be included in the charge. See Chapter 4, pp. 98-100.

counted,<sup>80</sup> were non-existent,<sup>81</sup> had not actually been exported,<sup>82</sup> or had been “overcharged”.<sup>83</sup>

Thirdly, throughout the year, custumars made payments on behalf of the Crown, which would be subtracted from their total liability. These are related to the custumars’ position as receivers of royal revenue and rarely concern overseas trade. They include vast sums paid out on pensions, annuities, payments to royal favourites, and repaying the Crown’s debts.<sup>84</sup> Custumars were also frequently called upon to make specific purchases for the Crown, such as food, clothing, and drink. These were nearly always purchased in the home market, though imported items, like wine, were often included. Payments were made for building materials to repair the monarch’s properties or ships, or to remunerate those responsible for the tasks. Custumars frequently settled the king’s day-to-day debts while he was domiciled in their particular jurisdiction, and further cash payments to the Crown or the Crown officials were also made. There were also cash payments to the Chamberlain, and later the Comptroller, throughout the year. In the course of the year, therefore, custumars made vast and varied payments on behalf of the Crown.

The total of the allowances or discharges represented the sums for which the custumar was not liable to the Crown. These were subtracted from the charge to determine what the custumar did owe the Crown. This sum was accordingly paid to the Chamberlain or Comptroller at the Exchequer audit, and the account was ended. If the custumar failed to pay the required sum, the account could not be ended, in which case the custumar gave a bond to the King or Comptroller for the outstanding amount,<sup>85</sup> and this debt was carried into the custumar’s next account.<sup>86</sup> The debt was the custumar’s personal responsibility, and new custumars would not be charged with the debts of a previous occupant.<sup>87</sup> Sometimes the

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<sup>80</sup> E.g. *E.R.*, II, p. 66-7; IX, p. 291.

<sup>81</sup> Aberdeen’s custumar in 1481 was excused payment of customs on 45 barrels of salmon, because, when the accounts were re-examined, they were not found. *E.R.*, IX, pp. 151-2.

<sup>82</sup> *E.R.*, I, p. 497; VII, p. 586; VIII, p. 621; IX, p. 64; XVII, p. 57; XVIII, p. 69.

<sup>83</sup> *E.R.*, V, pp. 560-1; XVIII, p. 59.

<sup>84</sup> For a fuller discussion of the Crown’s grants of pensions and annuities, and exemptions from customs in their political context see R. Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, 1978), pp. 210-3, 283-4, 313, 566.

<sup>85</sup> A.L. Murray, “The Procedure of the Scottish Exchequer”, p. 97.

<sup>86</sup> These debts were common in the fourteenth and fifteenth centuries, but only rarely appear in the following century. Normally debts were insignificant compared with the total receipts of the accounts. Often the same debt appeared for a number of years before it was finally settled, or the custumar proved it was the liability of another person.

<sup>87</sup> In Haddington’s 1501 account, for instance, the debts of a deceased custumar, Walter Cokburn, were paid by his heirs and executors to the Comptroller. The remaining debts were noted as belonging to Stephen Lawson, who left office in 1494. *E.R.*, XI, p. 366.

payments made by the custumar were larger than his receipts, and the account was over-extended. The difference was always given as an allowance in his next account. This tended to happen only at certain periods, and it was normally confined to the most important jurisdictions and to those with a strong royal presence. Presumably the Crown viewed these jurisdictions as limitless moneyboxes.<sup>88</sup> The account was ended once it was balanced, or when the sums owed or owing to the custumar had been agreed. Thereafter the custumar was discharged from the audit.<sup>89</sup>

The Exchequer compiled custom accounts containing all the information used to assess the customars' liabilities and allowances. These comprised the names of the customars, the length of the account, the summary totals of each commodity (quantity and customs), fines, arrears and the total charge, all the information pertaining to the allowances and discharges, and whether the account was equal, or if there were outstanding sums owed to or by the custumar. The year's accounts were stitched together, or enrolled, to make the custom roll.<sup>90</sup> The Exchequer would refuse to enrol accounts with which they were unsatisfied. In 1530, for instance, the auditors "supercedit the rolling of the custume comptis of Haddington becaus the comptar wald nocht mak compt of futefellis, lentryn wair, scaldingis, schorlingis and lambskynnis as was ordainit be divers actis and decretis", and it was not enrolled until the following year.<sup>91</sup>

A broadly similar auditing procedure was employed for those jurisdictions which were leased. The leaseholders appeared annually at the Exchequer to pay the Crown, except

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<sup>88</sup> A number of accounts were overextended at the close of the fourteenth and start of the fifteenth century. The sums involved were generally small in comparison with the totals of their charges. A further phase of overextended accounts occurred in the two decades after James I's death in 1437. In this period the customars' accounts at Aberdeen, Cupar, Dundee, Dumbarton, Edinburgh, Linlithgow, Perth, and Stirling were nearly always overextended by a significant degree, roughly 20% of their charges. This was caused by a decline in customs revenues (a drop in exports and the lapsing of new custom duties), combined with an increase in the number of allowances and Crown payments (mainly a result of pensions and grants, annulled during James I's reign, being re-claimed). Finally, in the first decade of the sixteenth century the accounts of Dundee and Edinburgh were significantly overextended, probably because of the King's greater use of the custom revenue to finance his expenditures.

<sup>89</sup> There were occasionally additional charges after the account was ended especially for goods which were customed at the time of Exchequer audit. Normally, but not always, these were charged in the next account. *E.R.*, II, p. 87; IX, p. 212.

<sup>90</sup> It is conceivable, as A.L. Murray has suggested, that the rolls were prepared from drafts. "The Procedure of the Scottish Exchequer", p. 96.

<sup>91</sup> *E.R.*, XVI, p. 526. In 1507 Stirling's account was introduced, but no charge or discharge was given. The account was fully enrolled the following year, although there was simply a monetary total for all the goods. *E.R.*, XII, p. 599; XIII, pp. 89-90. In 1513 Perth's account only included the charge. The full account was repeated in 1515. *E.R.*, XIII, p. 578; XIV, pp. 100-2. These are presumably examples of accounts which, for unspecified reasons, were not initially enrolled.

that the payment was in the form of a fixed lease. They were not obliged to have their accounts audited, although it is conceivable their accounts would be examined if they sought a reduction in rent because of poor returns,<sup>92</sup> or if the lease were being renewed. The fixed rent and any arrears or fines formed the charge, and the discharge was normally only the fixed payment to the Exchequer. Very occasionally, and interestingly, there were sometimes exemptions on customs or allowances made for goods customed elsewhere,<sup>93</sup> which seems to run against the principle of a lease. The exemptions could relate to a different year, but may have been sheer opportunism on the part of the leaseholders. Once the account was ended the holders were discharged and the accounts were enrolled.

There are occasions, generally for small quantities, when customs were paid directly to the Crown officials rather than the accounts being audited and enrolled. In the second half of the 1450s, for instance, the customars of Elgin and Forres paid the Comptroller.<sup>94</sup> Presumably a number of accounts which are absent from the custom rolls were settled with the Chamberlain and Comptroller. Customars may also have paid the Comptroller directly if the accounts were not rendered in the appropriate year. The Exchequer, especially in the sixteenth century, noted numerous occasions in which customars failed to appear to present their accounts, and year after year it was demanded that they deliver their outstanding accounts. On two occasions accounts were rendered after years of delay,<sup>95</sup> but more often the Exchequer demands were dropped without the outstanding accounts appearing in the custom rolls. Rather than being written off as bad debts, it is probable that the outstanding sums were paid directly to the Comptroller and entered into his accounts.

<sup>92</sup> The rent for Prestonpans' 1545-54 account was reduced because for the first five years no customs had been collected, since "the harbour had been rendered unproductive by reason of the English invasion at Haddington, and by remaining in that neighbourhood". *E.R.*, XVIII, p. 277. For other leases which were reduced by the Exchequer *E.R.*, XIV, p. 199; XV, pp. 67, 183, 199, 366, 444, 513-4; XVI, p. 43; XVIII, p. 84; XIX, p. 109. Cupar even petitioned Parliament to have the terms of their lease lowered. *A.P.S.*, III, c. 25, p. 30.

<sup>93</sup> In 1509 and 1511 Haddington's customar was discharged from paying duties on wool because it was customed at Edinburgh; while in 1508-9 George Cornton's custom free goods were not included. In these years, however, Haddington's customs were leased. See also; CAP 1514, IRSC 1507-9, Banff 1528 (?), Dundee 1507-8, Kirkcudbright 1509, and salmon at Aberdeen in 1507, 1525 and 1528.

<sup>94</sup> *E.R.*, VI, pp. 218, 485, 527. Ayr, Cupar, and Inverness in the 1360s paid their customs directly to the chamberlain. In Kinghorn's 1498 account a memorandum noted that after the 1496 audit no account had been presented. The Comptroller, however, acknowledged that he received the 30s. customs from the late customar. The Receiver General, Andrew, Bishop of Caithness, testified he had received the customs from Spey and Findhorn in 1513 and 1514. In 1573 the customar of Prestonpans paid the Comptroller the tack for the previous five years. *E.R.*, II, pp. 108, 162, 170, 301-2; XX, p. 116. *A.D.C.P.*, p. 74.

<sup>95</sup> No account was rendered for Dundee in 1510. The Exchequer complained about it each year until an account was finally presented in 1515. *E.R.*, XIII, pp. 363, 384, 489, 578; XIV, pp. 50, 97-8. Likewise, Burntisland's 1563-67 account was presented in 1576. *E.R.*, XX, pp. 65, 249.



Given the vast scale of the clerk of Exchequer's work and the number of processes involved, it was inevitable that clerical mistakes would be made. The cross checking of the accounts of customar and clerk of cocket/tronar helped eliminate some mistakes. It is, however, still possible to identify a number of errors made in the calculations in the particular accounts, while in the enrolled accounts there are numerous mistakes, omissions, and miscalculations. The clerks compiling the custom rolls seem to have made roughly three to four transcription or copying errors in the charges in each year's roll, a fairly insignificant fraction overall.<sup>96</sup>

### III. CUSTOM OFFICIALS

In the 1580s, when the burghs leased the customs of the realm, the provost, bailies, and councils of individual burghs, with the advice of the commissioners of the Convention of Royal Burghs, were empowered to "sett, estableische and appoyntt...customeris".<sup>97</sup> Little is known about the appointment of customars, clerks of cocket, and tronars in normal circumstances, except that it was the prerogative of the king, or of those under his authority.<sup>98</sup> There may or may not have been local input into the decisions.

Judging by the surviving sixteenth century letters of appointment, clerks of cocket, tronars and searchers were normally granted their office for life, or, on occasion, for the king's will.<sup>99</sup> Frequently the office passed to their sons on their death.<sup>100</sup> While it is difficult

<sup>96</sup> For a more detailed discussion of the errors in the various accounts, and amendments made to correct them, see Appendix 4, pp. 736-74.

<sup>97</sup> *R.C.R.B.*, I, pp. 159, 227, 255-8.

<sup>98</sup> A.L. Murray, *The Exchequer and Crown Revenue of Scotland*, p. 141, and "The Custom Accounts of Kirkcudbright, Wigtown, and Dumfries", p. 137. In 1408 the customar of Linlithgow presented the Exchequer with his letters of appointment under the great seal from the late King. *E.R.*, IV, p. 52. In 1546 customars were to be annually appointed by the Comptroller in his capacity as the Customar General. Sir John Bellenden of Auchnowle stated he had a gift from the Sovereign lord, with the advice of the Regent, of the office of clerk of cocket for Edinburgh, for life. In 1574 David Panter resigned his position as clerk of cocket and searcher in Montrose; the vacant position was to be filled by whomever the Regent, in the King's name, thought best. *R.P.C.*, I, pp. 45, 566-7; II, p. 325.

<sup>99</sup> Appointments for life: Tronars- *R.S.S.*, III, nos. 56, 1596; IV, no. 1344; V, no. 359; *R.M.S.*, II, no. 2256. Searchers- *R.S.S.*, II, nos. 1256, 1270, 2508; III, nos. 43, 56 160, 1567; VI, no. 2235; VI, no. 28. Clerks of cocket- *R.S.S.*, I, nos. 791, 1238, 2490; II, nos. 2008, 4635, 4598; III, nos. 2, 58, 121, 181, 201, 205, 868, 880, 2021, 2060, 2523 2910; IV, nos. 1627, 1940, 2736, 3332; V, nos. 659, 2711, 3197; VII, no. 94; *R.M.S.*, II, nos. 1401, 1746. Clerks of cocket and searchers- *R.S.S.*, IV, nos. 1085, 2740; V, nos. 1120, 1278; VI, nos. 551. 669, 2287; VIII, nos. 1163, 2170. Clerks of cocket (with or without office of searcher) appointed for the king's will *R.S.S.*, I, no. 1308; VII, nos. 133, 273; and once for a year *R.S.S.*, VI, no. 2296; searcher for king's will *R.S.S.*, I, no. 159; searcher for nine years *R.S.S.*, I, no. 190.



to be certain without the original appointments, this also appears to have been the case in earlier periods. Certainly in the late fourteenth and early fifteenth centuries the Exchequer payments to tronars and clerk of cocket suggest their offices were held for life. John Rollo was Edinburgh's clerk of cocket from at least 1372 until his death in the late 1380s and the office then passed to his son Duncan Rollo, who held it until he died in 1420. Of course individuals sometimes resigned or were ousted from their positions. In 1559 Sir John Bellenden of Auchnowle resigned as Edinburgh's clerk of cocket in favour of his brother Patrick Bellenden. Seven years later the position went to another, after Patrick was ejected from office and denounced as a rebel for his part in the murder of David Riccio.<sup>101</sup>

Frequently two or more customars were appointed in each jurisdiction. An act in 1425 states there were to be "twa sufficient men... to ressave the Kingis custume".<sup>102</sup> This became less common in the sixteenth century, although it seems that it was, or became, normal for father and sons to be appointed together.<sup>103</sup> Customars were appointed for terms that were considerably more variable than those of the tronars and clerks of cockets. Sixteenth century appointments were for life,<sup>104</sup> during the monarch's pleasure,<sup>105</sup> or, more commonly, for fixed terms. These were normally for up to five years, but were occasionally longer, and the term was often extended.<sup>106</sup> It is difficult to know if this was the situation in the earlier centuries. A reference in 1408 suggests Linlithgow's customar held letters appointing him for life,<sup>107</sup> but whether this was representative is impossible to determine. The evidence from the custom accounts, for what it is worth, shows customars holding office for both long and short periods.

Virtually all the sixteenth century letters appointing customars, clerks of cocket, searchers, and tronars state that they have the power to appoint their own deputies if they so

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<sup>100</sup> *R.S.S.*, I, no. 1388; II, no. 4598; III, no. 2021; V, no. 359; VI, no. 669. On one occasion the office of clerk of cocket was resigned to a son, and twice the office passed to a brother- once when the office was resigned and the once on the death of the incumbent. *R.S.S.*, III, no. 2523; V, nos. 659, 1278.

<sup>101</sup> *R.S.S.*, V, nos. 659, 2711.

<sup>102</sup> *A.P.S.*, II, c. 5, p. 9.

<sup>103</sup> *R.S.S.*, I, nos. 791, 1126, 2591, 3809; II, no. 4131; III, nos. 15, 95, 201, 1567, 1596, 2444; VI, no. 28.

<sup>104</sup> *R.S.S.*, I, nos. 3009, 3847; II, nos. 866, 2461; III, nos. 145, 180, 172, 190; V, no. 2928; VI, no. 633; VII, no. 1046.

<sup>105</sup> *R.S.S.*, I, nos. 439, 611, 708; IV, no. 2746, 2892.

<sup>106</sup> *R.S.S.*, I, nos. 230, 382, 926, 1126, 1311, 2558, 2591, 2755, 4008; II, no. 1776; III, nos. 246, 370, 2462. *R.M.S.*, II, no. 1736. In 1498 James Rollock and Walter Drummond were appointed customars of Dundee for five years; seven years later Rollock and his son were given the office for five years; this appointment was further renewed at least twice. *R.S.S.*, I, nos. 230, 1126, 2558, 2755.

<sup>107</sup> *E.R.*, IV, p. 52.

desire.<sup>108</sup> There are also numerous references to deputies prior to this.<sup>109</sup> In the fourteenth century, however, clerks of cocket may have needed royal permission to appoint deputies;<sup>110</sup> certainly in England it was strictly enforced that the controller, the equivalent to the clerk of cocket, was not to employ a deputy or any staff.<sup>111</sup>

In England the collectors of customs were usually well known merchants, appointed because of their trustworthiness and their knowledge of the port and merchants, while the controllers were more likely to be drawn from the less influential burgess families.<sup>112</sup> The claim that Scottish customars were required to be leading burgesses in the port they served probably rests on the Parliamentary act requiring them to be “sufficient” men.<sup>113</sup> In the fourteenth century at least, according to E. Ewan’s work, this does appear to have been the case. Most customars were burgesses, with an occasional constable, sheriff, or cleric, and they were normally drawn from the most prominent and respected members of the community.<sup>114</sup> Similar studies have not been carried out for later centuries. cursory examination, however, reveals that, apart from Edinburgh, only a small fraction of the customars were members of the nobility or the church, which may be significant. Perhaps in the sixteenth century customars were being drawn from lower down the social order. Some customars, like Robert Barton at Edinburgh (1517-25 and 1530) and Sir George Bruce at Culross (from 1580) are well known,<sup>115</sup> but little is known about most of the remainder. The surviving references show custom officials continued to be drawn predominantly from the areas they represented and were normally burgesses.<sup>116</sup> Customars may even have been

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<sup>108</sup> For examples for customars, *R.S.S.*, I, nos. 484, 2755 etc.; clerks of cocket, *R.S.S.*, I, nos. 1388, 2490 etc.; searchers *R.S.S.*, III, nos. 1567, VI, 2235 etc. In Edinburgh at least the tronar was allowed to appoint deputies, porters, and other servants of the tron, although in smaller burghs, presumably, fewer were employed. *R.S.S.*, III, nos. 41; IV, 1344.

<sup>109</sup> Master William Travernet, clerk of cocket at Haddington and North Berwick, had deputies. Haddington 1390. There are numerous references to deputies rendering accounts for the custom officials. The accounts of Sir John Forster, knight, Edinburgh’s customar 1404-31, were nearly always rendered by a deputy.

<sup>110</sup> E. Ewan, *Townlife in Fourteenth Century Scotland* (Edinburgh, 1990), p. 128.

<sup>111</sup> M.H. Mills, “The Collectors of Customs” in W.A. Morris and J.R. Strayer (eds.), *The English Government at Work, 1327-1336*. Vol. II, *Fiscal Administration* (Cambridge, Mass., 1947), p. 176.

<sup>112</sup> M.H. Mills, “The Collectors of Customs”, pp. 172-3, 177.

<sup>113</sup> *E.R.*, I, p. xcvi; *A.P.S.*, II, c. 5, p. 9.

<sup>114</sup> E. Ewan, *Townlife in Fourteenth Century Scotland*, p. 128.

<sup>115</sup> W. Stanford Reid, *A Skipper from Leith: The History of Robert Barton of Over Barnton* (London, 1962). A.I. Bowman, “Culross Colliery: a Sixteenth-Century Mine”, *Industrial Archaeology*, VII (1970).

<sup>116</sup> For custom officials being burgesses or inhabitants of the jurisdiction they represented see *R.S.S.*, I, nos. 222, 447, 791, 1126, 1345, 2591, 2611, 2755, 4008, 4056; II, nos. 540, 1256, 2008; III, nos. 2, 41, 56, 131, 145, 160, 370, 1451, 1567, 2444, 2462, 2523; IV, nos. 863, 1344, 1940, 2740, 2746, 2882, 2889; VI, nos. 522, 633, 669, 2244, 2247, 2235, 2352, 2287; VII, no. 133; VIII, no. 2170.

required to live in the burgh.<sup>117</sup> Women occasionally held custom positions and sometimes played a significant role in the customing process. Marjory of Schirehame, for instance, was the custumar at Dundee 1328-31,<sup>118</sup> while Alison Orrok rendered Burntisland's account for her husband in 1570 and was active in collecting the burgh's customs.<sup>119</sup>

Individual jurisdictions' customs were normally leased for between five to ten years, and were occasionally granted for life, or the king's will.<sup>120</sup> The leaseholders were generally of higher status than the normal custom officials. The nobility, with their close connections to the Crown, were certainly active in securing leases.<sup>121</sup> In the same way, Edinburgh's elite burgesses often leased the customs of other jurisdictions. Master Thomas Marjoribankis, burghess of Edinburgh, leased the customs of Inverness, Ross, Sutherland, and Caithness in 1545; he evidently enjoyed royal favour, since he was granted freedom from all customs in the following year.<sup>122</sup> It is conceivable that when the leases were held by burgesses of the same burgh, they were from the upper echelons of that burgh.<sup>123</sup>

<sup>117</sup> In 1588, during the leasing of the customs, Crail complained that their custumar had "contrair to the forme of estaiblesching of customeris in euery frie burgh and sea poirtt, past furth of the said frie burgh of Craill to the unfrie tovn of Kilrany quhair he makes his residence". It was ordered that he be deprived of his office if he failed to reside in Crail. *R.C.R.B.*, I, p. 277.

<sup>118</sup> Margaret Kennedy was the custumar at Haddington from July 1518 to July 1531; later Helen Makgill held the same position there. Florence Cornton, indweller of Leith, was the searcher at Haddington in the early 1540s, and Margaret, Lady Sinclair, leased the customs of Dysart in July 1513-August 1527. Often women became customars after their husbands died in office. Alison Hamiltoun was Haddington's custumar from 1513-18, following the death of her husband. Janet Paterson and Margaret Crechton rendered accounts for Edinburgh in 1514 and 1515 (Crechton was also the custumar again for a month in 1516), following the deaths of their husbands. Marjory Kinphanis took over the office at Inverkeithing after her husband died. Inverkeithing 1572. Katherine Bellenden paid the lease of Inverness in 1536, following the death of her husband. *R.C.R.B.*, I, pp. 193-4. *R.S.S.*, II, no. 2508; III, nos. 43, 1567.

<sup>119</sup> Burntisland 1570; *R.P.C.*, II, pp. 145-6.

<sup>120</sup> Leases for five years: *R.S.S.*, I, nos. 1126 (possibly), 1229, 1896, 3857; II, nos. 976, 1391, 1399; III, no. 1050; IV, no. 1706; V, no. 1350. seven or nine years: *R.S.S.*, II, nos. 1919, 1758, 1760; III, nos. 672, 1295, 1090, 1092, 1873. Life or king's will: *R.S.S.*, I, nos. 1526, 1630; II, no. 866; III, no. 190 (possibly); V, no. 2252. Leases for three, eleven and nineteen years: *R.S.S.*, I, no. 1311 (possibly); III, no. 1056; V, no. 494. It is interesting to note that the burghs which tended to be leased for seven or nine years were fairly distant from the royal administration, either on the West coast or the far north. Those lying between Aberdeen and the Forth were normally leased for five years.

<sup>121</sup> For example, see *R.S.S.*, I, nos. 1129, 1630; II, no. 1758; III, nos. 190, 1056, 1873.

<sup>122</sup> *R.S.S.*, III, nos. 1295, 1693. There are other examples of Edinburgh's burgesses leasing customs- the customs of Inverness, Ross, Sutherland, and Caithness, Dysart, Kirkcudbright, (1518-24) and Prestonpans (1575-83). *R.S.S.*, II, nos. 976, 1919; III, no. 672; *E.R.*, XIV, pp. 333, 373; XV, pp. 50-186-7; XX, p. 211; XXI, p. 216; *E.71/23/1*.

<sup>123</sup> See *R.S.S.*, II, no. 1760; III, nos. 1050, 1509; IV, no. 1706; V, nos. 494, 1350, 2252.

## Remuneration of Custom Officials

In England custom officials received payments for their services from the Crown and from merchants.<sup>124</sup> A broadly similar pattern existed in Scotland. In the earliest surviving series of custom accounts, 1328-33, the Crown paid the collectors of the customs a fee of 6d. for each £ of customs collected. This continued until the double and triple custom duties were introduced in the late 1350s, when the fee was reduced to 4d. per £.<sup>125</sup> This fee, or rate, remained unaltered for the next two and a half centuries. In 1364, when Parliament enacted that each exporting burgh was to have a tron, it added that the Crown would pay the tronar 1d. per sack of wool weighed.<sup>126</sup> This fee also appeared in the custom accounts and stayed at the same rate until the end of the sixteenth century.<sup>127</sup> The customar's and tronar's fees were calculated from the goods in the custom account's charge, and were only payable on the goods they customed or passed themselves. Fees were normally paid on goods even if the goods themselves were exempt from duty, for they had, after all, undergone the customing process.<sup>128</sup> If, however, the goods had been customed elsewhere, no fees were paid.<sup>129</sup> The fees were not to be paid if the officials failed to appear and render their accounts.<sup>130</sup> Since the fees for the customar were a proportion of the customs revenue, each new or increased custom duty theoretically raised his earnings. In reality, however, the long-term decline in exports meant the custom revenue contracted, and hence so did the fees. This was compounded by a decline in real value as a result of currency depreciation and inflation. Clerks of cocket, on the other hand, unlike customars and tronars, did not receive a regular income from the Crown, or at least not one that was listed in the custom accounts.

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<sup>124</sup> The collectors were given an allowance in their accounts for their office expenses, and received from merchants tronage fees and 2d. for each cocket issued. The comptrollers were paid a fixed salary by the Crown. M.H. Mills, "The Collectors of Customs", pp. 175, 177, 184.

<sup>125</sup> The accounts at Aberdeen 1358 (a), Edinburgh 1359, Dundee 1358 (a-b), and Perth 1358 are the last to include fees of 6d. per £.

<sup>126</sup> *A.P.S.*, I, p. 496.

<sup>127</sup> In Edinburgh's 1590s enrolled accounts the tronar fee was subtracted directly from the wool customs, rather than appearing separately in the discharge. NAS, E.71/30/27, f. 2; 30/29, f. 5.

<sup>128</sup> Occasionally the customar and tronar did not receive fees on goods exempt from customs. For instance, in Edinburgh's 1490 account it was stated that fees were not paid for the goods of the Bishop of Glasgow, or William Colyn, Frenchman. *E.R.*, X, p. 288, see also *E.R.*, IV, p. 273; IX, p. 227. Normally, however, fees were paid on exempt goods; Edinburgh's accounts contain numerous exemptions, but the tronars virtually always received their 1d. for every sack.

<sup>129</sup> Edinburgh's customars and tronars did not receive a fee from the wool from Melrose Abbey, presumably since the wool had already been cocketed with the Abbey's own seal, see *E.R.*, III, p. 590; IV, pp. 18, 41, 78, 114, 141; IX, p. 78; X, p. 228. *A.P.S.*, I, p. 581.

<sup>130</sup> For examples of unpaid fees due to non-appearance, see *E.R.*, III, pp. 250, 574; IV, p. 76. The Exchequer, however, did pay Dunbar's tronar's fees in 1417 after he claimed illness had prevented him from attending the previous year. *E.R.*, IV, pp. 250, 278.



There is little surviving evidence of non-royal payments to custom officials. The sixteenth century letters of appointment, however, frequently mention customars, tronars, and clerks of cocket as having the rights to all the “fees duties aucht and wont”.<sup>131</sup> Since clerks of cocket do not seem to have received a regular salary from the Crown, it seems likely these fees and duties were paid by merchants. Two examples relate to this. In 1570 each merchant sending goods customed at Perth to Dundee was to pay Dundee’s clerk of cocket 4d. for each cocket, as had been in use in “tymes bigane”.<sup>132</sup> In 1575, merchants paid Edinburgh’s clerk of cocket a “duty of the cocket” for each ship leaving Leith, including a fee of 2s. per cocket. These payments had always been made, but the Privy Council agreed with the merchants that Edinburgh’s clerk had extracted more than his entitlement.<sup>133</sup> It can only be assumed that tronars and customars also received fees from merchants.

Merchants presumably paid fell, or fell and hide, counters a fee for the privilege of having their consignments checked. For limited periods the counters were also paid by the Crown from the custom receipts. In Dundee’s 1382 account, two men, deputies of the chamberlain, were paid £2 to see and examine the fells and hides. In 1385-88 William Kyd was paid £1 per year for performing this task at Dundee. Thereafter Crown payments to counters disappeared until 1396, when fees of 4d. per £ of woolfells customed were paid in most burghs. The payments lasted for only five years, and appeared only sporadically in the following three decades, briefly returning in the late 1420s and early 1430s. Their disappearance coincides with the introduction of custom duties on a whole range of fell exports, which must have reduced the unremunerated work of the counters- they no longer had to view so many fells which were not liable for duty- and the Exchequer, therefore, may have felt less obligation to pay the officials. The fees were again paid after the customs on miscellaneous fells lapsed in 1438, and were generally a fixed amount. The Exchequer may have thought it was once more their duty and responsibility to pay these officials. More plausibly, following the death of James I, the counters successfully lobbied for their former rights to be restored. After 1448 Crown payments to fell counters were very occasionally made in a small number of burghs, and they disappear entirely after the 1470s.<sup>134</sup>

<sup>131</sup> Customars *R.S.S.*, I, no. 2755; IV, no. 2746; V, no. 2928; VI, nos. 2244, 2247, 2352. Tronars *R.S.S.*, III, nos. 41, 1596; IV, no. 1344; V, no. 359. clerks of cocket, *R.S.S.*, I, no. 2490; II, nos. 4131, 4598; III, nos. 205, 880, 2021, 2060, 2523, etc.

<sup>132</sup> *E.R.*, XX, pp. 397-9.

<sup>133</sup> *R.P.C.*, II, pp. 456-7.

<sup>134</sup> The fees for fell counters appear in the custom accounts at Edinburgh 1450-69, 1476-77; Dunbar 1454; Haddington 1457-78; and Linlithgow 1455.



During the reigns of Robert II, Robert III, and the Albany regencies, the Crown gave some customars, tronars, and clerks of cocket a series of annual payments in addition to their normal fees. Edinburgh's tronar, Reginald Crawford, for example, received 1d. for each sack of wool weighed, as well as the tronar's fee, and this gift was bestowed on his two successors. Favoured clerks of cocket also received an extra 1d. per sack of wool, while privileged customars were granted an additional 2d. per £ of customs collected.<sup>135</sup> These gifts, which were generally for life, came at a time when the Crown frequently granted pensions, annuities, and gifts to ensure the loyalty of the nobility. It is likely that the payments to custom officials may have been for similar reasons, or at least to reward good and loyal service. Given the decline in the earnings of custom officials (as a consequence of reduced exports), and a greater propensity for merchants to evade customs, these weak royal administrations had every reason to try to buy the loyalty of the custom officials. It is debatable if the Crown's offerings had much effect. Once James I returned from captivity, these annuities were cancelled, along with all the other pensions paid from the customs.<sup>136</sup>

Custom officials occasionally received one off payments to cover additional trouble and expenses.<sup>137</sup> These were most widespread during the reigns of Robert II, Robert III, and the Albany regencies, with all classes of custom official receiving them at some stage in this period. In 1417 and 1418 Edinburgh's clerk of cocket payments were for his labours in recovering customs. More commonly these payments were simply listed as being for the official's labours "by consideration" of the king or the auditors.<sup>138</sup> Following James I's return from captivity these occasional payments largely disappeared.<sup>139</sup> In the three decades after his death they sporadically appeared, and were normally paid only to customars for their "labours and diligence". In 1464 Edinburgh's customar received money for his labour in gathering the customs the previous year, and Kirkcudbright's customar was paid, by

<sup>135</sup> Customars- Arbroath 1400-3, 1406, 1412-16; Dundee 1403-20; Edinburgh 1394-1421; Montrose 1385-1414; North Berwick 1406-20; Perth 1410-20. Clerks of cocket- Dundee 1397-1420; Dunbar 1412; Edinburgh 1372-1421; Haddington 1390-1431; Inverkeithing 1407, 1412-20; North Berwick 1388-1401. Tronars- Arbroath 1397-1416; Dundee 1409-1420; Edinburgh 1390-1425; Perth 1410-20.

<sup>136</sup> *A.P.S.*, II, c. 8, p. 4.

<sup>137</sup> The discharges in the custom accounts provide most of the evidence for these payments, but the payments are also recorded in the few surviving Chamberlain and Comptroller accounts. *E.R.*, XVIII, pp. 39-40.

<sup>138</sup> Clerks of cocket- Edinburgh 1417-18; Inverkeithing 1383. Tronars- Inverkeithing 1383; Kinghorn 1413; Linlithgow 1380; Perth 1382-3; Stirling 1377, 1379, 1382, 1401, 1414, 1421. Customars- Banff 1391; Edinburgh 1406; Dundee 1389, 1392; Inverness 1383, 1385, 1406, 1410; Inverkeithing 1409; Kinghorn 1413; Montrose 1420-21; Perth 1392.

<sup>139</sup> In 1425 Inverkeithing's customar received a payment, and Aberdeen's salmon customar was paid for his labours in the Exchequer 1534-38.

consideration of the auditors of the Exchequer, for his labour in an inquiry concerning certain customs *abstractarum et adductarum*.<sup>140</sup>

In the mid-1470s, there was a spate of allowances or payments to customars. In 1474 Perth's customar received additional payments for his labour and expenses in collecting the salmon customs and his expenses incurred in Edinburgh. Two years later the customar at Leith was paid for his labours in collecting the English malt custom and his enquiry into the goods in ships at the port. In most of the examples the payments were for the customars' labour in collecting customs.<sup>141</sup> The Crown may have felt the need at this time to compensate the customars for their extra work and trouble in imposing and securing the recently re-introduced custom duties. Virtually all the Crown's additional payments after this were in recognition of the customars' difficulty in gathering customs. In 1481 Dumbarton's customar was paid an additional 9s. 5d. for his expenses in going to Loch Fyne concerning the collection of customs. From 1504 to 1516 Dumbarton's customars received £6 per year for their labour and expenses in collecting customs in Argyle and the Isles.<sup>142</sup> Elsewhere payments were normally given in recognition of political hindrances in collecting the customs, and they tended to coincide with hostilities with England.<sup>143</sup>

In addition to fees from the Crown and merchants, a number of other potential avenues of income or benefits accrued to the custom officials. One lucrative source was the seizure of uncustomed or forbidden goods. The Crown received between a half to two-thirds of the proceeds, while the remainder went to the official responsible for the capture.<sup>144</sup> In

<sup>140</sup> Aberdeen 1461; Arbroath 1441; Ayr 1446; Dumbarton 1455; Edinburgh 1444, 1450, 1464; Kirkcudbright 1463; Linlithgow 1452; Montrose 1450.

<sup>141</sup> Leith 1473-76; Perth 1474, 1477; Haddington 1474-75; Dysart 1477. An allowance was given to the customar at Inverness for certain expenses in 1476.

<sup>142</sup> Dumbarton 1481, 1504-16.

<sup>143</sup> Coinciding with hostilities with England additional payments to customars for their trouble, labour, and expense in collecting customs were made at Haddington 1518-26, CAP 1518-23, Banff 1518-20, IRSC 1518-22, and Perth 1518-22. The Comptroller's 1526 account noted that the payments to the clerk of cocket, and the keeper of the tron at Edinburgh were not to be given in future "because there is now peace and not as formerly a great sterility at the tron". *E.R.*, XV, p. xlvi. Likewise additional payments were given at CAP 1539-47, Dysart 1540-46, Kinghorn 1543, Aberdeen 1539-42, Banff 1540-42, IRSC 1541-42, Dundee 1540-42, Montrose 1547, Stirling 1539-40, 1542, Linlithgow 1539-45, and there were payments in the Comptroller's 1543 account to the customars of Aberdeen, Banff, Pittenweem and Kinghorn, for their labours. *E.R.*, XVIII, pp. 39-40. The only exceptions were payments to the customars of Edinburgh 1529-31 and CAP in 1526-9.

<sup>144</sup> The sixteenth century letters of appointment often state the proportion of seized goods the official was entitled to. These rates vary according to each appointment. In February 1569 Alexander Clerk was appointed the customar of Edinburgh with the power to escheat all uncustomed and forbidden goods, and was entitled to half the proceeds. A few months later, after Clerk had been dismissed, Robert Watsoun was appointed, and he was to receive only a third of any uncustomed or forbidden goods captured. *R.S.S.*, VI, nos. 522, 633.

1574, for instance, the custumar of the Pittenweem Group seized four bolls of wheat, which was forbidden to be exported at the time. It was sold for £9, half of which went to the King while the custumar kept the remainder.<sup>145</sup>

In 1580 Robert Gourlay referred to an exemption the King had granted to him when he was appointed as the custumar of Edinburgh. It freed him from all “oistis [i.e. hosts], raidis, and army, and fra all passing upoun assissis or inquietis in actionis criminale or civile, as alsua fra pament of ony taxt, stent, or other impositioun, and fra all wacheing and warding” so long as he remained the custumar.<sup>146</sup> Similarly, in 1569, Robert Menzies, Aberdeen’s clerk and receiver of customs, was excused from military service and the service on assizes.<sup>147</sup> This appears to have been the standard practice, despite letters of appointment rarely listing these exemptions. It was hardly desirable to have custom officials leaving their positions to join the king’s army.<sup>148</sup>

Custumars’ debts to the Crown, which were carried into their next account, to some extent represent an interest free loan to the custumars. Likewise, ready access to the cash box containing the collected custom duties could have provided a number of lucrative opportunities to an enterprising custumar. The cash deposits, however, frequently proved to be something of a liability, for the nobility occasionally carried off the revenues and sometimes even the custumars. In 1402, for instance, the Duke of Rothesay, the heir to the throne, violently took money from Dundee’s custumar, imprisoned Montrose’s until he paid £24, and then uplifted customs at Edinburgh.<sup>149</sup>

English custom officials were prohibited from having any ship of their own, buying or selling merchandise, meddling with freight, or being factors.<sup>150</sup> There are no similar acts in Scotland that have survived, and in practice Scottish custom officials were clearly actively engaged in trade. Robert Barton was heavily involved in trade, exporting goods and

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<sup>145</sup> *T.A.*, XIII, p. 15; *NAS*, E.71/6/6, f. 8v. For Simsoun’s appointment, with power to escheat uncustomed goods see *R.S.S.*, VI, no. 2244.

<sup>146</sup> *R.P.C.*, III, pp. 259-60.

<sup>147</sup> *R.S.S.*, VI, no. 668.

<sup>148</sup> William Bannatyne, one of the searchers of skins at Edinburgh, however, was killed in the Queen’s army during the “Rough Wooing”. *R.S.S.*, III, nos. 131, 2444.

<sup>149</sup> *E.R.*, III, pp. 549-50, 552. Further examples of sums being taken from custumars include *E.R.*, III, pp. 254-5, 363, 599; V, pp. 182, 277. The Earl of Douglas and his associates committed numerous offences at Edinburgh and Linlithgow during the Albany regency. The Earl is reckoned to have forcibly taken about £5,000 from Edinburgh’s custumars in the 1410s. R. Nicholson, *Scotland: The Later Middle Ages*, p. 255; and Chapter 5, pp. 129-31.

<sup>150</sup> N.S.B. Gras, *The Early English Customs System*, note 3 on p. 99.

freighting ships while customar of Edinburgh (1517-25 and 1530). Indeed he refused to custom goods if merchants did not send them in his ships.<sup>151</sup> While customar, the illustrious Sir George Bruce exported and customed salt from Culross, produced in his own pans. In general, however, custom officials' involvement in trade whilst in office appears to have been limited. A more detailed study of the particular accounts, however, would be needed for this to be conclusive.

#### IV. CONCLUSION

Over the course of the fifteenth and sixteenth centuries, the incomes received by the various custom officials fell. Exports declined and, as a result, so did their fees, which were moreover eroded in real terms by inflation. A decline in earnings may be the reason for the large number of references in the late fifteenth and sixteenth centuries to custom officials extracting excessive dues from merchants, and not permitting goods to be exported until they had been paid.<sup>152</sup> The motives behind the merchants' complaints must be treated with a little suspicion, but it does suggest the custom officials were trying to augment their incomes by somewhat dubious practices. The fall in exports and income may also help to explain the custom officials' more lackadaisical approach to appearing at the Exchequer. In the sixteenth century there are considerably more incidences than previously of customars failing to render their accounts. Moreover, during the sixteenth century the custom officials may well have been drawn from a lower status; the main exception was Edinburgh where the large volume of exports ensured sizeable incomes could be earned. Whether the integrity of the officials was compromised by declining earnings is more debatable. The customs administration had a complex series of checks and double checks on the honesty and competence of officials. This was further strengthened by the creation of searchers in the late fifteenth century, general searchers in the sixteenth century, and the greater use of the Conservator in searching for uncustomed goods. If the status of the custom officials was indeed lower, it does not necessarily follow that they were less honest. If it was their sole source of income they had more to lose if caught, convicted, and ejected from office. The reduction in the number of the nobles and royal favourites as custom officials may even have

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<sup>151</sup> As a result it was ordained that the inhabitants of Edinburgh were not to be "compellit to lay thair gudis bot to quhat schippis thai pleisis best". *A.D.C.P.*, pp. 128-30.

<sup>152</sup> This took a number of forms, from charging greater than statute custom duties, even on goods not customable, or extracting additional custom fees. *A.P.S.*, II c. 17, p. 235; III c. 63, p. 42. *R.P.C.*, II, pp. 456-7; V, p. 292; *R.C.R.B.*, I, p. 379. *A.D.C.P.*, pp. 500, 507-8.

helped reduce fraud, since inevitably they had employed factors to perform the tasks, adding an extra layer of potential corruption. This does not, of course, mean that custom officials were incorruptible. The extent was probably largely dependent on how great was the merchants' desire to evade custom duties, and hence how much in the way of inducements they were prepared to offer. This theme will be addressed later.



## CHAPTER 3

### SCOTTISH CUSTOM JURISDICTIONS

From an early date Scottish royal burghs and wealthier non-royal burghs, such as Dunfermline were granted trade monopolies within prescribed boundaries, which included the sole right to participate in overseas trade.<sup>1</sup> These rights were continually re-affirmed by the Crown.<sup>2</sup> When the great custom system was adopted at the end of the thirteenth century, the custom jurisdictions were merely superimposed on burghs' existing trading bounds.<sup>3</sup> A customar appointed for Aberdeen, for example, was in fact the customar for the burgh's trading precinct, which covered the sheriffdom of Aberdeen. As far as the Crown or customar was concerned, goods could be exported from anywhere within the jurisdiction so long as the appropriate custom duties were paid. The Crown normally took action against unfree areas engaging in trade only when it heightened the possibility of custom evasion.<sup>4</sup> It was up to the individual burghs' authorities, rather than the custom officials, to ensure unfree areas did not usurp their privileges by participating in overseas trade.

To understand the Scottish custom administration, or to analyse the custom figures, a necessary prerequisite is a thorough knowledge of the extent of each individual custom jurisdiction and any subsequent changes within it. New custom jurisdictions, for example, were created throughout the period. This might be to compensate for the loss of an older one; Dunbar, Haddington, and North Berwick were established as a result of Berwick-upon-Tweed being captured by the English. More commonly, they were created to cater for new export trades; a series of jurisdictions was established in Fife in the fifteenth and sixteenth centuries to custom fish and salt exports. These new custom jurisdictions were normally

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<sup>1</sup> For fuller discussions of these trading rights see *British Borough Charters, 1216-1306*, edited by A. Ballard and J. Tait (Cambridge, 1923), pp. lxvi-lxvii; T. Keith, "The Trading Privileges of the Royal Burghs of Scotland", *English Historical Review*, XXVIII (1913), p. 464; A. Ballard, "The Theory of the Scottish Burgh", *Scottish Historical Review*, XIII (1916), p. 17.

<sup>2</sup> David II confirmed to the burgesses of Scotland their exclusive right to buy and sell within the liberties of their respective burghs. *R.R.S.*, VI, no. 136. This was subsequently confirmed *A.P.S.*, II, c. 37, p. 245; c. 31, p. 348; c. 25, p. 375; c. 24, p. 497; III, c. 11, p. 102; IV, c. 33, p. 28.

<sup>3</sup> This was in contrast to England, where burghs were never given exclusive rights to participate in overseas trade. Their custom jurisdictions were created between two named points.

<sup>4</sup> E.g. *A.P.S.*, II, c. 12, p. 234; c. 44, p. 246; c. 34, p. 253; III, c. 57, p. 42. *R.P.C.*, II, pp. 446, 609.

created within the bounds of an older one, and this has to be considered when the custom figures of both jurisdictions are examined.

It is equally important to be able to explain the absence of custom jurisdictions from the Exchequer's custom rolls, particularly when they disappear for long periods. The lack of accounts could reflect the customs of one area being incorporated in the accounts of another. Alternatively, customs were collected but were not rendered to the Exchequer. Either the Crown granted the customs to others, a common situation in the fourteenth century, or the customars failed to render their accounts, a particular problem in the sixteenth century. Another possibility is that the customs receipts were being paid directly to the Crown without being entered into enrolled custom accounts. It is, consequently, vital to know why accounts are "missing" for particular jurisdictions.

## I. EAST LoTHIAN

### (a) Berwick-upon-Tweed

There was a custom jurisdiction at Berwick-upon-Tweed from the inception of the Scottish great custom system. In the final years of Alexander III's reign (1249-86) a Gascon merchant was assigned the king's customs of Berwick-upon-Tweed to cover the monarch's unpaid debts for wine and corn. There are references in the inventories of records in 1292 and 1296 (now lost) to rolls containing the customs of wool and hides at Berwick.<sup>5</sup> The custom jurisdiction remained in operation whilst the burgh was under English control, between 1296-1318, and receipts were paid to the English Crown.<sup>6</sup> The customs naturally reverted to the Scottish Crown when Berwick was under Scottish control in 1318-33, and this must have been a welcome addition. The burgh was by far the most important Scottish port at the time; 30% of Scottish wool and woolfells and 15% of hides were exported from Berwick in 1328-32. The extent of the burgh's custom jurisdiction at this time must have been equivalent to

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<sup>5</sup> *Rotuli Scotiae in Turri Londinensi et in Domo Capitulari Westmonasteriensi Asservati*, edited by D. Macpherson (London, 2 vols., 1814-19), I, p. 17; *A.P.S.*, I, pp. 114, 118.

<sup>6</sup> There are references to the jurisdiction in September 1296, including the appointment of Robert Heyron, rector of Forde, the keeper of the new customs at Berwick-upon-Tweed. The Edwardian administration in Scotland collapsed from 1297 until 1304 when control was re-imposed. Around this time the custom jurisdiction was re-established, and immediately an investigation made into the whereabouts of Berwick's customs revenue, which Robert Heron claimed to have sent to Werkeworth Castle in August 1297. In the following ten years there are numerous English references to the operation and administration of the jurisdiction at Berwick. *Documents Illustrative of the History of Scotland, 1286-1306*, edited by J. Stevenson (Edinburgh, 2 vols. 1870), I, pp. 102-4. *C.D.S.*, II, no. 1597, pp. 441, 433; III, nos. 238, 289, p. 404; V, no. 358; *Rotuli Scotiae*, I, pp. 105, 110.

the sheriffdom of Berwick, which was also its trading precinct. It is likely to have stretched from the Tweed to the Lammermuir Hills (Map 3-1).<sup>7</sup>

Berwick-upon-Tweed was captured by the English in 1333, and thereafter remained more or less permanently in their hands. The customs accordingly were paid to the English Crown. The extent of the jurisdiction, theoretically, was limited to the land under English control, though some Scottish wool continued to be taken, now fraudulently, to Berwick, to take advantage of lower custom duties.<sup>8</sup> New Scottish jurisdictions were established at Haddington and, shortly afterwards, Dunbar, with responsibility for land that had previously been within Berwick's custom jurisdiction (Maps 3-2 and 3-3). The burgh to benefit most from the loss of Berwick, however, was Edinburgh, which increasingly attracted and exported border wool.

The only prolonged period in which Berwick-upon-Tweed was under Scottish control after 1333 was from 1461-82. Accounts for Berwick were rendered to the Scottish Exchequer from January 1465-June 1473 and April 1476-July 1481. In the intervening period the customs were paid to the keeper of Berwick castle. Sizeable quantities of salmon and cod were recorded in these accounts, but the traditional wool, woolfell, and hide exports had long since declined to insignificance.<sup>9</sup>

#### (b) Haddington, Dunbar, and North Berwick

Haddington's status as a royal burgh can be traced to the reign of David I. The burgh's earliest charters have not survived, but Robert I's confirmation charter in 1318 listed the usual privileges granted to ancient royal burghs, including the monopoly of trade within the sheriffdom of Haddington.<sup>10</sup> The sheriffdom was bounded by Edinburgh's sheriffdom to the west and Berwick's to the south, and roughly extended from east of Musselburgh to the

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<sup>7</sup> For the extent of the sheriffdom see T.I. Rae, *The Administration of the Scottish Frontier, 1513-1603* (Edinburgh, 1966), p. 23, and note 9 on p. 37; and A.A.M. Duncan, *Scotland: The Making of the Kingdom* (Edinburgh, 1975), p. 624.

<sup>8</sup> J. Donnelly, "An Open Port: The Berwick Export Trade, 1311-1373", *Scottish Historical Review*, LXXVIII (1999). A. Tuck, "A Medieval Tax Haven: Berwick upon Tweed and the English Crown: 1333-1461" in R. Britnell and J. Hatcher (eds.), *Progress and Problems in Medieval England: Essays in Honour of Edward Miller* (Cambridge, 1996).

<sup>9</sup> Appendix 1, pp. 361-2.

<sup>10</sup> No one was to buy wool or hides, trade in merchandise, make broad cloth, dyed or shorn, in the sheriffdom of Haddington except the burgesses of Haddington, and no merchant was to buy anything except from the burgesses of Haddington. *Charters and Writs Concerning the Royal Burgh of Haddington, 1318-1543*, edited by J. Wallace-James (Haddington, 1895), pp. 1-4; *R.R.S.*, V, no. 142.

Lammermuir Hills, incorporating the burgh's port at Aberlady.<sup>11</sup> Despite the antiquity and the large extent of the trading precinct, a separate custom jurisdiction does not seem to have been established until a relatively late date. In 1326 Melrose Abbey was granted £100 from the burgh farms or customs of Berwick; if these were insufficient, the deficit was to come from the customs of the burghs of Edinburgh and Haddington.<sup>12</sup> In 1331 the provost of Haddington's account included customs on English imports and money exported.<sup>13</sup> Haddington's jurisdiction, however, does not appear in the 1328-33 custom rolls, nor is there any evidence of a non-royal jurisdiction being in operation. Evidently cockets for Haddington were not being issued,<sup>14</sup> and Haddington does not seem to have been a jurisdiction during the English occupation of southern Scotland in the mid-1330s.<sup>15</sup> The negative evidence suggests there was not an autonomous custom jurisdiction with its own cocket at Haddington. The 1326 reference may merely suggest that Haddington up to 1333/58 was included within Edinburgh's custom jurisdiction.

The custom rolls from the late 1350s have survived, and in them Haddington is recorded as a separate custom jurisdiction. The loss of Berwick-upon-Tweed to the English in 1333 may have been pivotal in its creation. It is conceivable that the burgh's custom jurisdiction included what remained of Berwick's sherifffdom, still under Scottish control (Map 3-2). If this was the case, it did not prove to be enduring. In 1370 the Crown complained that merchants from Berwick, Roxburgh (then under English control), and England exported wool, hides, and other goods without paying custom duties because the customars of Haddington were too far removed from the Marches. To remedy this abuse, Dunbar was created a "free burgh", and custom officials were appointed to custom all the wool, fells, and hides exported from within the earldom of March, the burgh's liberty. While this represented an encroachment into Haddington's traditional trading liberty, its burgesses were permitted to buy goods within the earldom providing they paid the appropriate customs

<sup>11</sup> See A. Grant, "Baronies about 1405, (3): central and south-eastern Scotland" in P.G.B. McNeill and H.L. MacQueen (eds.), *Atlas of Scottish History to 1707* (Edinburgh, 1996), p. 204. The eastern extent of Edinburgh's trading liberty was the "Edgebuckling Brae", *R.M.S.*, VI, no. 1427.

<sup>12</sup> This was a short lived and temporary grant. The slightly different version of a few months later made no mention of Edinburgh or Haddington. *R.R.S.*, V, nos. 288, 308.

<sup>13</sup> *E.R.*, I, pp. 360-1. At the same time Crail, Inverness, and Banff were also charged with English import and money export customs despite not rendering custom accounts to the King's Exchequer.

<sup>14</sup> In 1329 Edinburgh received cockets from Linlithgow, Dunfermline, Inverkeithing, and Stirling. The absence of cockets from Haddington is noticeable.

<sup>15</sup> In 1335-36 there were accounts from the collectors of customs at Edinburgh and Linlithgow in the first year of the English occupation, and new cocket seals were made for these burghs. At the same time particular accounts for Berwick-upon-Tweed were produced. There are no references to Haddington as a custom jurisdiction under this administration. *C.D.S.*, III, pp. 343-7.



duties on them at Dunbar. Likewise, the burgesses of Dunbar had reciprocal rights within Haddington's bounds.<sup>16</sup> The custom jurisdictions in 1370, therefore, were clearly defined.<sup>17</sup> Dunbar's jurisdiction extended from the river Tyne to Berwick-upon-Tweed. The customars of Haddington's were responsible from the Tyne to around Musselburgh. Within three years there was a further small encroachment when a small separate jurisdiction was created at North Berwick, an area previously within Haddington's territory.<sup>18</sup> Thereafter the jurisdictions largely remained unaltered until 1600 (Map 3-3).

North Berwick was created as a free port under the control of the Earl of Douglas in 1373. Situated within the sheriffdom of Haddington, its trading precinct was limited simply to the burgh's property. The grant also established a separate custom jurisdiction under royal control, and from 1376 custom accounts for the burgh were rendered to the Exchequer.<sup>19</sup> Prior to the creation of the area's jurisdiction, the goods from the area would have been customed at Haddington. Certainly until the mid-1390s the jurisdictions at North Berwick and Haddington worked in unison, although they rendered separate accounts, but thereafter the two were independent of each other.<sup>20</sup> It was quite rare for a new custom jurisdiction to be established within an old one when they were both customing similar commodities. The situation may have arisen because the Crown was prepared to allow Douglas a free port, but strengthened custom administration to ensure the gift was not abused.<sup>21</sup>

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<sup>16</sup> *R.M.S.*, I, no. 340; *Charters of Haddington*, pp. 4-5.

<sup>17</sup> Receipts from the customars of Dunbar were recorded in the Chamberlain's account for January 1370 to February 1371. *E.R.*, II, pp. 350-1. The custom roll for this year has not survived. Dunbar's first surviving custom account started in February 1372.

<sup>18</sup> There were enclaves belonging to others within the earldom of March. Innerwick was within the constabulary of Haddington; and Bunkle, Langton and Modington were in the sheriffdom of Berwick, as shown in A. Grant "Baronies about 1405, (3): central and south-eastern Scotland". Prior to 1555 all had been subsumed into Dunbar's liberty. *R.M.S.*, IV, no. 999. In 1584 the customar of Dunbar had the responsibility "within the boundis thair of and to Berwick". *R.C.R.B.*, I, p. 193.

<sup>19</sup> The 1375 custom roll has not survived. North Berwick's 1376 account may have been their second.

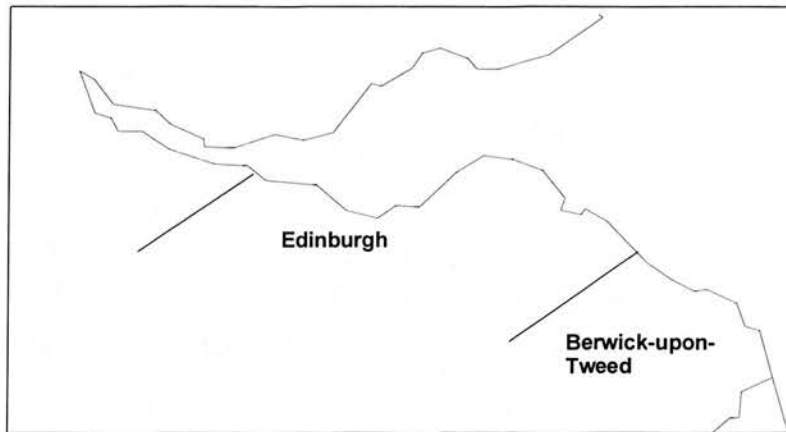
<sup>20</sup> David Peterson was Haddington's customar in 1373-91, and North Berwick's in 1375-82. Master William Traverent was the clerk of cocket for both jurisdictions from at least 1388 until his death in 1394. Haddington's custom accounts were over-extended between 1379 and 1381, and the allowance for this was given in North Berwick's accounts rather than Haddington's own accounts the following year. In 1382 the discharges of the two jurisdictions were rendered together. From the mid-1390s, however, separate and independent officials seem to have been employed. William Cranston was Haddington's clerk of cocket and William Crawford held the same office at North Berwick. A change in the administration may even explain why Haddington needed to produce a new cocket seal in 1396. *E.R.*, III, p. 381.

<sup>21</sup> The Earl of Douglas evidently considered the custom jurisdiction his own personal cash box, extracting £116 from the customar without mandate in 1391. *E.R.*, III, p. 255. Douglas had been granted the burgh's entire customs between March 1385 and May 1387.

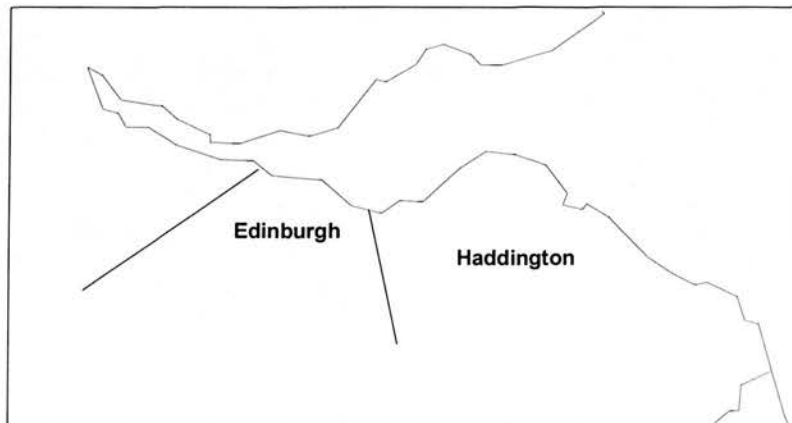




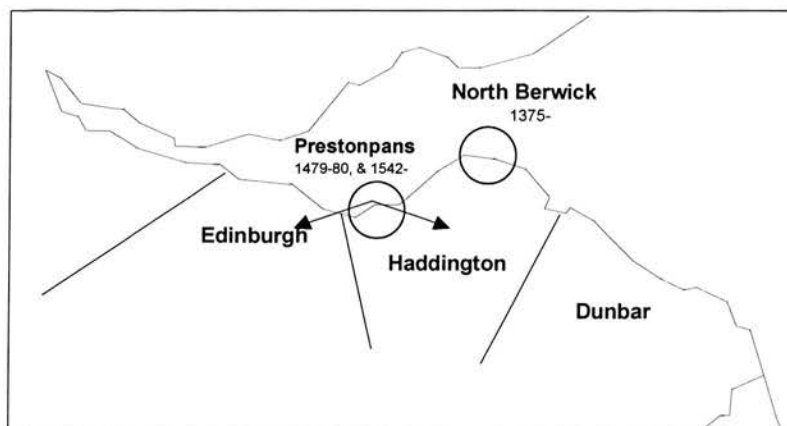
**Map 3-1: East Lothian Custom Jurisdictions, 1328-ca.1358**



**Map 3-2: East Lothian Custom Jurisdiction, ca.1358-1370**



**Map 3-3: East Lothian Custom Jurisdictions, 1370-1600**



The framework of custom jurisdictions in East Lothian at Haddington, Dunbar, and North Berwick at the end of the fourteenth century largely remained in place throughout the fifteenth century. The bulk of their customed goods were sent to Leith to be exported. The only significant development was that a custom jurisdiction was briefly established at Prestonpans in 1479-80 to custom salt. This was within Haddington's territory, and sometimes the area's salt was included in Haddington's accounts. Normally, however, it was customed at Edinburgh.

In the sixteenth century Haddington's custom jurisdiction remained in place. Accounts for North Berwick and Dunbar, on the other hand, hardly appear, nor were they issuing cockets.<sup>22</sup> These jurisdictions may have ceased to exist. As their traditional exports declined to minuscule proportions, the North Berwick and Dunbar jurisdictions were left redundant. If necessary, however, they could be reactivated, as at North Berwick 1526-32 and Dunbar 1589-92. Haddington's jurisdiction could have been extended to incorporate these areas when they did not render accounts, but it seems more likely any exports would simply have been customed at their point of export, in other words, Edinburgh.

### (c) Prestonpans

In 1479 Prestonpans rendered a custom account to the Exchequer. This was a new jurisdiction, and one designed exclusively to custom salt.<sup>23</sup> An account was also presented the following year, after which the jurisdiction ceased to exist. It was resurrected as a separate jurisdiction with its own cocket seal in 1542,<sup>24</sup> and thereafter remained in operation until the close of the century (Map 3-3).<sup>25</sup> Salt was virtually the only good customed, which may simply reflect the trade. The burgh's lease in 1546 was for salt and other goods brought to and sold within the haven of Preston.<sup>26</sup> It is, however, possible that the customars at Prestonpans held a mandate to custom salt only, especially in the closing decades of the

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<sup>22</sup> After 1509 Dunbar rendered only one account, covering October 1589 to August 1592. North Berwick's accounts after 1511 were limited to a period between 1526 and 1532. Edinburgh's entry books of cockets do not record any cockets issued at North Berwick or Dunbar after 1511, except for cockets from Dunbar in 1590. NAS, E.71/32/10, f. 5

<sup>23</sup> The accounts contained only one commodity, salt, and the customar was specifically described as the customar of salt. His authority was likely to be limited to this one commodity. In the same way, at about the same time, a customar for salt was appointed at Dysart.

<sup>24</sup> Prestonpans, within the constabulary of Haddington and sheriffdom of Edinburgh, was erected a burgh of barony in the following decade. *R.M.S.*, IV, no. 720.

<sup>25</sup> There are no enrolled accounts for Prestonpans between September 1555 and January 1574. In 1573 the jurisdiction's custom lease for the period between 1568 and 1573 was paid directly to the Comptroller. The customs for 1556-67 may also have been paid in a similar manner. *E.R.*, XX, p. 116.

<sup>26</sup> *R.S.S.*, III, no. 1509.

century. The burgh's 1575-76 particular account was titled "the quantitis of small salt careit beyond sey furthe of Achesonis hawin".<sup>27</sup> Moreover, in a case in 1575, concerning hides, wool, and skins taken from "Achesonis Haven" to Leith to be exported, it was decided that Edinburgh's customar, rather than the customar of Prestonpans, was to uplift the custom duties.<sup>28</sup>

During earlier periods when a separate custom jurisdiction was not in operation at Prestonpans, the area's salt exports were customed either at Haddington or, more commonly, Edinburgh. The continuity in levels can be seen clearly in the years immediately before Prestonpans was created a jurisdiction. In 1476 Edinburgh customed 40 chalders of salt; in the two subsequent years Haddington customed 383 chalders; and in 1479-80 Prestonpans customed 325 chalders. Following the last account for Prestonpans, salt completely disappears from Lothian accounts until 1487. The reason for this is not entirely clear. It may not have been exported; hostile English naval activity in the early part of the decade is likely to have hindered trade, and certainly the north Forth salt exports collapsed in this period. It is debatable if salt exports from Lothian were zero at this time, but perhaps they were so small the salt customars simply ceased to render their accounts to the Exchequer. In 1487 salt was customed at Edinburgh. It belonged to Lord Seton, so presumably came from his territory around Prestonpans.<sup>29</sup> Between 1489-91, John Hepburn was a separate salt customar, and his accounts were rendered together with those of Haddington; presumably he customed the salt produced in the Prestonpans area. Thereafter all the salt from the area was customed at Edinburgh, until the separate custom jurisdiction was re-established at Prestonpans in 1542. In 1529, for instance, Haddington's account included 30 chalders of salt, but the customars were excused payment since the salt had been customed at Edinburgh. Moreover, it is noticeable that Edinburgh's salt customs collapsed after 1542, once Prestonpans was created (and remained) a custom jurisdiction.

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<sup>27</sup> NAS, E.71/23/1, f. 1.

<sup>28</sup> *E.R.*, XX, p. 464.

<sup>29</sup> Seton held a barony at Tranent. In the late sixteenth century Cockenzie was granted to Robert, Lord Seton. *R.M.S.*, V, no. 1857.

## II. EDINBURGH

A custom jurisdiction at Edinburgh, incorporating the port of Leith, was first recorded during the English rule of Scotland in the early fourteenth century.<sup>30</sup> The burgh's custom accounts are included in the first surviving series of Scottish custom rolls 1328-33, and appear in virtually all the others.<sup>31</sup> Unlike other burghs, the entire jurisdiction was never leased or granted away, and the customars consistently rendered their accounts. This unique position can be explained by the importance of the burgh's customs, and by the fact that Edinburgh was the main seat of royal administration and the Exchequer for most of the period.

### (a) Extent of Edinburgh's Custom Jurisdiction

Edinburgh's jurisdiction in the 1328-33 custom rolls may well have incorporated Haddington and its bounds. A reference in 1326 mentions the customs of the burghs of "Edinburgh and Haddington". Since there was not a separate jurisdiction at Haddington at this time, Edinburgh's jurisdiction could have stretched from the Lammermuir Hills in the east, to the western extent of Edinburgh's bounds, at the Almond Water. Haddington was established as a separate custom jurisdiction by the late 1350s at least, and as a result Edinburgh's eastern boundary presumably ended at "Edgebukling Brae" (most likely around the river Esk). Thereafter Edinburgh's custom jurisdiction, theoretically, remained the same as the burgh's trading liberty, from Edgebukling Brae on the east, to the Almond Water on the west, and from the southern limit of Edinburgh's sheriffdom "to the midst of the water of Forth" in the north (Map 3-4).<sup>32</sup>

The customars' responsibilities were on occasion considerably more extensive. Up to 1542 most of the salt exported from Prestonpans, an area within Haddington's constabulary, was contained in the Edinburgh accounts. This scenario ended after 1542, when a separate custom jurisdiction was established at Prestonpans, but it is possible that other exports from Prestonpans, which were probably insignificant, were included in Edinburgh's accounts. Edinburgh's custom accounts included salt exported from the North

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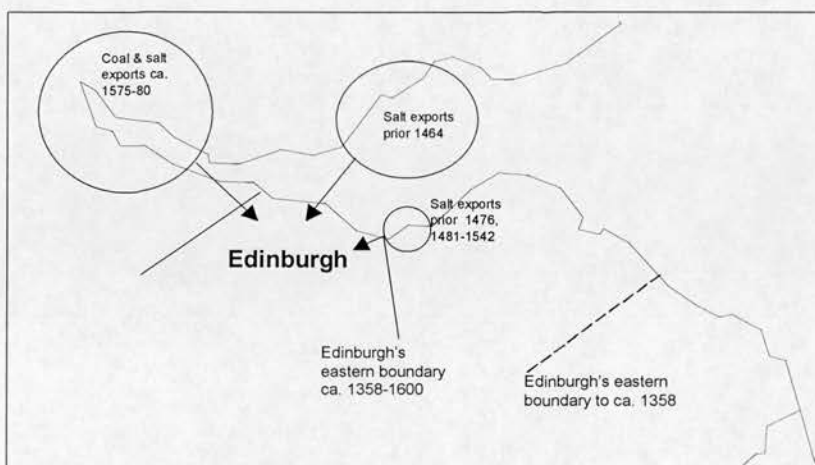
<sup>30</sup> In 1311-12 the English receipts of great customs at the port of Leith were £25 13s. 5d., slightly larger than the combined total for Blackness and Stirling, but a mere fraction of Berwick-upon-Tweed's customs (£722 5s. 1d.); admittedly, the exact periods the accounts cover is not known. *C.D.S.*, II, p. 433.

<sup>31</sup> The jurisdiction at Edinburgh was mentioned in a charter in 1326. *R.R.S.*, V, no. 288.

<sup>32</sup> *R.M.S.*, VI, no. 1427. There are numerous appointments of Edinburgh custom officials in the sixteenth century which state that the jurisdiction covered the burgh and its bounds and freedoms, and incorporated Leith. *R.S.S.*, I, nos. 2611, 3297; III, nos. 2, 95, 131, 880, 2037, 2444; IV, no. 1940; VI, nos. 11, 28, 522, 633, 2247.

shore of the Forth until a separate jurisdiction was established at Dysart in 1464, though in fact salt was rarely customed prior to this. A century later Edinburgh's accounts included salt, and possibly coal, from the Narrows of the Forth. In 1575 it was decreed that ships "ladin, up in the narrow watter of the Firth of Forth, at the Powis of Alloway, Auch, Carroun Mowth [Alloa, Airth? and Grangemouth]" and other such places, were to present their entries or "prevy cokquet" to the principal clerk of Edinburgh to be searched by him, and receive a general cocket, "berand thair haill laidynning *de claro*".<sup>33</sup> This was presumably to ensure the recently expanding salt and coal exports from these areas did not escape custom duties. From 1580 a jurisdiction was created at Culross, with responsibility for the area between Stirling and Queensferry. Edinburgh's custom jurisdiction returned to its pre-1575 extent (Map 3-4).

**Map 3-4: Edinburgh's Custom Jurisdiction, 1328-1600**



It should be borne in mind that large quantities of goods were taken from other burghs to be exported from Edinburgh. Inevitably, some goods that theoretically should have been customed in the original jurisdiction were actually customed and included in Edinburgh's accounts. Moreover, in the late sixteenth century, at least, Edinburgh's magistrates were given the responsibility of preventing the export of any forbidden goods from "the brig of Stirling to... Berwick", together with the Fife coast, and can be seen exercising this right.<sup>34</sup>

<sup>33</sup> *R.P.C.*, II, p. 446.

<sup>34</sup> *R.P.C.*, IV, p. 159; *R.M.S.*, V, no. 1428. In the 1590s ships at Aberlady, Cockenzie, and in Fife, areas outwith Edinburgh's trading bounds, were ordered to be arrested by Edinburgh's council on suspicion of containing forbidden goods, especially wheat. Similarly, in 1573, the customar of Edinburgh took active steps to search a ship in Burntisland suspected of containing forbidden goods. In consequence a puncheon of tallow was arrested. *Edin. Recs.*, V, pp. 70, 127, 133; *R.P.C.*, II, p. 190.



### (b) Separate Custom Officials in Edinburgh, 1424-98

In common with a number of other jurisdictions, separate officials were appointed at Edinburgh to levy duties on the new customable goods introduced in James I's reign. The staff of these offices rendered their own accounts, although they were often the same personnel. The separate offices quickly merged in most jurisdictions, but in Edinburgh the practice continued. In the second half of the fifteenth century, at least, two accounts for Edinburgh were nearly always rendered. One contained the older established customable goods; the others, under various titles, gave the newer customable exports. Presumably breaking down the authority of the customars into smaller sections could help prevent abuse of power, while the sheer volume of Edinburgh's exports meant that securing the right to custom even a limited number of commodities must still have been lucrative. It means, however, that care must be taken in analysing the burgh's trade in the fifteenth century, especially when determining if figures are missing.

Separate accounts for Edinburgh's cloth were rendered in 1426, and 1428-29. Salt and English imports were also included in the later two accounts. In 1430-31 cloth, salt, and English imports were given in Edinburgh's standard accounts. Salt, thereafter, remained in the regular accounts, while separate cloth accounts were again rendered in 1434-38, and English import customs disappeared entirely after 1431. The separate cloth accounts at Edinburgh naturally disappeared once the cloth and other new customs duties lapsed. The gradual re-introduction of the new customs saw the return of separate custom offices. Between November 1445 and September 1448 there was a customar for English malt imports and salmon exports, and an English malt customar between 1451 and July 1454.

In 1452, following the re-introduction of customs on salt and cloth, they were included in Edinburgh's regular account. Salt exports were quickly freed from custom duties and disappeared. Cloth was included in separate accounts in 1453-54. Andrew Crawford was the customar for English imports in 1453-54, and took on a similar role for cloth exports in 1454. It is no surprise, therefore, that from 1455 he simply rendered one account containing both. Thereafter, until the early 1470s, two separate accounts were rendered for Edinburgh's exports; one containing wool, woollfells, and hides; the other cloth, imports, and, over time, additional customable goods. In the early 1470s the office for the new customable goods was itself split into two. Accounts for woollen cloth and salt exports were rendered up to 1476, and from then to 1484 for cloth only. After this cloth was always included in Edinburgh's

accounts for wool, woolfells and hides. Between 1471 and 1492 all the other new customable goods, particularly fish, English imports, tallow, coal, and even re-exports were included in a separate account. The titles of the accounts varied, but in them there was often a mention of Leith, the burgh's port. After 1493, except on one occasion in 1498, these goods were included in Edinburgh's main accounts. From the early 1490s, therefore, and thereafter, all of Edinburgh's customable exports were included in a single enrolled account.

### III. LINLITHGOW AND STIRLING

The burghs of Stirling and Linlithgow were granted monopolies of trade within their own sheriffdoms from an early date.<sup>35</sup> Linlithgow's sheriffdom lay between the river Almond, on the east, and the river Avon to the west and included their port of Blackness. Stirling's sheriffdom lay along the Forth from the Avon to Stirling and stretched far inland. Neither suffered any encroachment into their liberties until the start of the seventeenth century.<sup>36</sup> These territories were also their customs jurisdictions. They can, therefore, be assumed to have remained fairly constant (Maps 3-5 and 3-6). Custom accounts for Linlithgow and Stirling appear in the first surviving series of custom rolls in 1328-33, and continue until the end of the sixteenth century.<sup>37</sup> In the fifteenth century, however, the ownership of both burghs' customs was commonly granted to Scottish queens.<sup>38</sup>

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<sup>35</sup> Stirling was granted the monopoly of trade throughout its sheriffdom by Alexander II, and this was confirmed by David II. *Charters and other Documents Relating to the Royal Burgh of Stirling, 1124-1705*, edited by R. Renwick (Glasgow, 1884), pp. 6-9, 17-8. Linlithgow's early charters have not survived; their rights were confirmed by James VI. *R.M.S.*, V, no. 2319.

<sup>36</sup> From 1600 Stirling attempted to prevent the villages of Falkirk and Airth being erected into burghs of barony. *Extracts from the Records of the Royal Burgh of Stirling, 1519-1666*, edited by R. Renwick (Glasgow, 1887), pp. 96-8. *R.C.R.B.*, II, pp. 35, 93, 103. Around the same time Linlithgow objected to the creation of Bo'ness as a burgh of barony within their liberties. *R.P.C.*, VI, pp. 289-90.

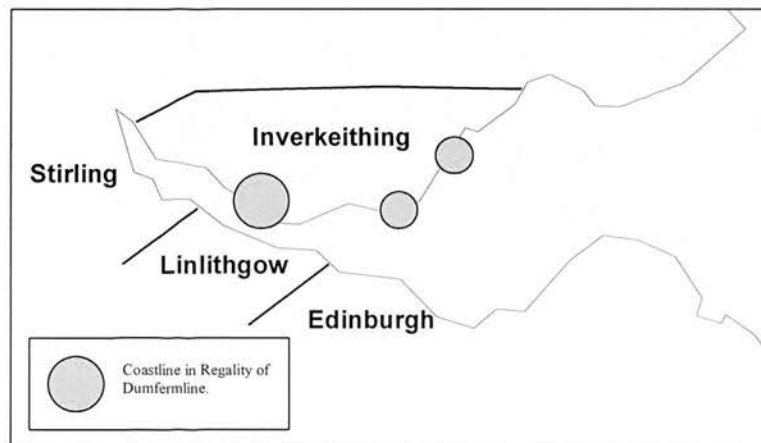
<sup>37</sup> In the sixteenth century the customars of Linlithgow failed to render accounts in June 1509-March 1510, 1573-82 and, after the customar renounced his office, in July 1596. *E.R.*, XXIII, p. 507.

<sup>38</sup> From February 1437 the customs of Linlithgow were in the hands of James I's widow until her death in 1445. Stirling's custom accounts are absent in the same period and can also be assumed to belong to the Queen Dowager. In 1451 the great customs of Linlithgow and Stirling, along with Cupar and Perth, were granted to James II's Queen. Following the monarch's death they were rendered on separate custom rolls. *A.P.S.*, II, c. 22, p. 67; *R.M.S.*, II, no. 462. The Queen of James III was likewise gifted the customs of Stirling and Linlithgow, along with Perth, Kirkcudbright, and Wigtown, in 1473. *R.M.S.*, II, nos. 1143, 1365.

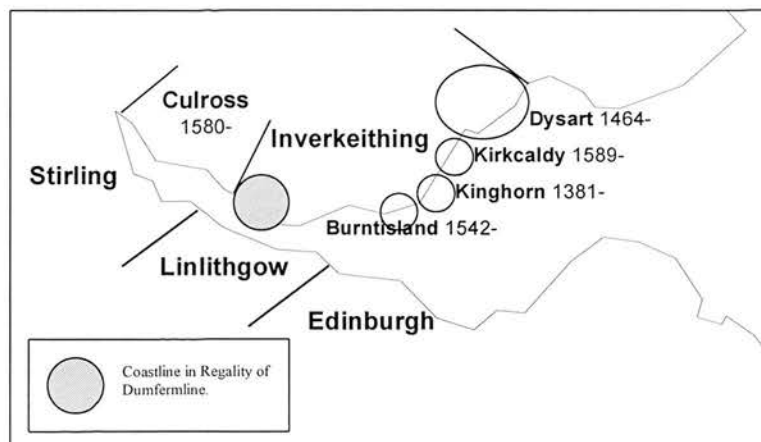
#### IV. WEST FIFE

The development of the customs administration on the northern shore of the Forth is considerably more complex than on the south. Inverkeithing was the only royal customing jurisdiction included in the earliest surviving custom rolls, 1328-33. In the following centuries jurisdictions were established at Kinghorn from 1381, Dysart from 1463, and Culross from 1580, all of which were within Inverkeithing's custom boundaries. In addition, while the Abbey of Dunfermline, from the reign of Robert I, possessed all the customs within the Dunfermline regality, a royal custom jurisdiction was created at Burntisland from 1541 and some form of royal jurisdiction was established at Kirkcaldy from 1589. By the end of the sixteenth century, therefore, six royal custom jurisdictions were in operation on the north shore of the Forth. The new creations were within the bounds of the old, so are better considered together.

**Map 3-5: Upper Forth Custom Jurisdictions, 1328-33**



**Map 3-6: Upper Forth Custom Jurisdictions, 1358-1600**



### (a) Inverkeithing

Accounts for Inverkeithing were rendered in the first surviving custom rolls, 1328-33, and the jurisdiction continued to be in operation thereafter. There were, however, long periods in which the jurisdiction's accounts were not presented to the royal Exchequer. Some absences are easily explained. Between July 1364 and March 1369, the customs were in the hands of the "Queen".<sup>39</sup> In the second half of the sixteenth century the customars frequently failed to appear at the Exchequer for long periods, presumably because the customs receipts were so small the customars felt no pressing need to render their accounts.<sup>40</sup> The reason for the absence of accounts for Inverkeithing between March 1392 and March 1406 is more perplexing. Accounts for the separate jurisdiction at Kinghorn re-appeared and disappeared again in this period, but this was merely coincidental and cockets for Inverkeithing continued to be issued.<sup>41</sup> The absence may have been the result of the weakness of the Scottish Crown. A number of other jurisdictions failed to render accounts at this time. Inverkeithing's customars may have failed to appear or, more probably, were paying their receipts to some other person or institution and the customs reverted to the Crown following Robert III's death in 1406.<sup>42</sup>

Presumably Inverkeithing's custom jurisdiction was initially the burgh's ancient trading precinct, which extended from the Devon<sup>43</sup> to the water of Leven (Map 3-5). These boundaries were continually confirmed, but over the centuries there was a steady encroachment by newer burghs.<sup>44</sup> Inverkeithing took action, with little long-term success,

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<sup>39</sup> *E.R.*, II, p. 138.

<sup>40</sup> There are no accounts for Inverkeithing in April 1545-January 1562, August 1563-August 1565, and October 1574-March 1576. The absences can be explained by the customars failing to appear before the Exchequer. In 1562, for instance, it was noted that Inverkeithing had not accounted for their absences long past. *E.R.*, XIX, p. 496. Evidently the jurisdiction was still in operation, because in 1559 and ca. 1564 cockets from Inverkeithing were presented at Edinburgh. NAS, E.71/32/4, f. 11; 32/8, f. 8v.

<sup>41</sup> Six cockets issued at Inverkeithing were recorded at Linlithgow in 1393. *E.R.*, III, p. 289.

<sup>42</sup> A list of the titles of charters states Robert III confirmed the kirk of Inverkeithing and the great customs of Inverkeithing, Musselburgh, Kirkcaldy, and Queensferry to the Abbey of Dunfermline. The inclusion of Inverkeithing's customs would seem to be a mistake for Dunfermline's, as given in the original charter of Robert I. Robert III's confirmation charter does not appear in the *Registrum de Dunfermlyn*, edited by C. Innes (Edinburgh: Bannatyne Club, vol. 74. 1842); *R.M.S.*, I, appendix II, no. 1891; *R.R.S.*, V, no. 188.

<sup>43</sup> There is some ambiguity as to which of the two rivers Devon is meant. The Black (or South) Devon empties into the Forth at Clackmannan; the other, called simply the Devon, at Cambus. On balance, the latter seems more likely.

<sup>44</sup> Inverkeithing's confirmation charter, in 1598, stated that William I granted the burgh the right to all customs and tolls between the Devon and Leven. This grant was confirmed by Alexander II. Alexander III stated the burgesses were to enjoy the same rights and liberties within the bounds as enjoyed by the burghs of Aberdeen and Perth. David II gave the burgesses the right to arrest those unlawfully buying and selling within their liberty and against their privileges. The rights and



against Kinghorn, Dysart, Culross, and Burntisland for trading within her liberties. These encroachments must also have affected the custom jurisdiction. Separate custom jurisdictions were created at Kinghorn in 1381, Dysart 1463, and Culross 1580, and all were in Inverkeithing's custom jurisdiction (Map 3-6). Kinghorn's jurisdiction may have siphoned off some of Inverkeithing's customable trade, but the other two are unlikely to have had a significant impact on Inverkeithing's custom receipts. Dysart's jurisdiction was created in 1463 to custom salt exported from the north shore of the Forth. Before this the area's salt had been briefly included in Edinburgh's accounts. Only in the later fifteenth century did Dysart's jurisdiction begin to custom small quantities of the older staple exports, which previously would have been given in Inverkeithing's accounts. Culross's jurisdiction was established in 1580, to custom the expanding salt and coal exports from the Narrows of the Forth, exports which, immediately prior to this, were included in Edinburgh's accounts.

#### (b) Kinghorn

The burgh of Kinghorn was within the trading precinct of Inverkeithing. Any goods exported from the burgh would have been included in Inverkeithing's accounts until a separate jurisdiction was created at Kinghorn in the second half of the fourteenth century. In 1364 David II ratified Alexander III's grant of a weekly market to Kinghorn and he gave the burgesses the right to buy and sell wool, fells, and hides within the "burgh and constabulary". More significantly, he allowed the burgh to have its own cocket, which implies the creation of a custom jurisdiction.<sup>45</sup> Kinghorn's jurisdiction, however, started to render custom accounts to the Exchequer only from 1382. It has to be assumed that this was when the jurisdiction was actually created. Until this time Kinghorn's goods presumably continued to be included in Inverkeithing's accounts (Maps 3-5 and 3-6).<sup>46</sup>

From 1382 Kinghorn was definitely a separate custom jurisdiction, and it remained so until the end of the sixteenth century. Between May 1387 and April 1391 no accounts were presented. Since cockets were issued, the jurisdiction was in operation, but as stated by

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boundaries were confirmed by Robert III who added that the boundaries stretched inland to the "large stone standing beyond the mill of Ellhorth" (i.e. Milnathort). W. Stephen, *History of Inverkeithing and Rosyth* (Aberdeen, 1921), pp. 507-13. See also *British Borough Charters, 1216-1306*, p. 241; *R.M.S.*, I, appendix II, no. 1856.

<sup>45</sup> *R.M.S.*, I, no. 183; confirmed in 1611 and 1633. *R.M.S.*, VII, no. 596; *A.P.S.*, V, c. 89, pp. 100-1.

<sup>46</sup> It is unlikely that between 1364 and 1381 no goods were exported from Kinghorn, or that the customars simply failed to appear. The burgh's customs could have been granted to a royal favourite or institution. The burgh's fermes and the rents from the constabulary of Kinghorn were given to "Queen" Margaret Drummond in the mid-1360s. *E.R.*, II, p. 138. Perhaps she also received the burgh's customs. A few years later, however, the dowry reverted to the King and there was still no evidence of the burgh's customs. This tends to suggest they were not granted to the Queen.

the Chamberlain in 1391 the custumars simply failed to appear.<sup>47</sup> Accounts were presented from April 1391 to March 1406, and then disappeared for five years. This coincides with Inverkeithing's custom accounts vanishing from March 1392 to March 1406, which seems to have been merely coincidental, and not the result of an amalgamation of the jurisdictions. There was no continuity in the custom officials,<sup>48</sup> the custom areas,<sup>49</sup> or the obligations of the jurisdictions,<sup>50</sup> to suggest that they were united in the period. Moreover, it was noted that the disappearance of Kinghorn's accounts between 1406 and 1412 was because the custumars had neither appeared nor rendered accounts.<sup>51</sup> The export location for goods could, of course, have been switching between Kinghorn and Inverkeithing.

Accounts for Kinghorn were presented from August 1411 to July 1435, before disappearing until 1446. In the intervening period the customs were presumably paid to James I's widow, as were those of Linlithgow, Stirling and, probably, Cupar. In the second half of the fifteenth century accounts for Kinghorn were nearly always rendered.<sup>52</sup> In the sixteenth century, however, the jurisdiction's appearances at the Exchequer were few and far between. No accounts are recorded between July 1505-August 1535 and from September 1566-October 1589. In common with other burghs with minuscule custom returns, Kinghorn's custumars simply failed to appear at the Exchequer, as testified by Kinghorn's frequent appearance on the Exchequer's non-attendance lists.<sup>53</sup> Yet the jurisdiction was in

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<sup>47</sup> *E.R.*, III, p. 241. In 1390 Edinburgh received two cockets issued from Kinghorn, and another two from Inverkeithing. They were thus definitely separate jurisdictions at this time even though no accounts were rendered for Kinghorn. *E.R.*, III, p. 205.

<sup>48</sup> From July 1388 to March 1392 Sir Thomas Kingorne and Alan Burki were Inverkeithing's custumars; from March 1406 James Schaw and John Andree held the office. In the intervening period Robert German and Sir John Hill were the custumars at Kinghorn.

<sup>49</sup> Inverkeithing's accounts in 1390-92 and 1407-25 stated that the ships and boats customed were at the port of Inverkeithing. In Kinghorn's accounts in 1393, 1395, 1397-96, and 1412-22 the vessels were recorded at the port of Kinghorn.

<sup>50</sup> Robert Stewart received a pension paid from Inverkeithing's custom accounts; this was not paid at Kinghorn during the period when Inverkeithing's accounts are missing.

<sup>51</sup> *E.R.*, IV, pp. 40, 134.

<sup>52</sup> In the second half of the fifteenth century there are no Kinghorn accounts in 1453-ca.1458, and 1497; presumably the custumars failed to appear. Additionally there are no accounts in 1467-70, but these may have all been rendered in the now missing 1470 custom roll.

<sup>53</sup> Kinghorn's failure to appear was noted in 1568, 1576, 1577, and 1579. In January 1583 the custumar and clerk of cocket were ordered to appear personally before the Exchequer, bringing with them the cocket seal and the whole of the customs since their last compt. The custumars also failed to appear in 1591 and 1592, but the 1593 account included these intromissions. *E.R.*, XX, pp. 339, 503-4, 518-9, 547-8; XXI, p. 555; XXII, pp. 572, 574.

operation, and cockets for Kinghorn were definitely issued in periods even when no accounts were rendered.<sup>54</sup>

Prior to 1364/82 exports from Kinghorn are likely to have been included in the accounts for Inverkeithing. Thereafter Kinghorn was a separate custom jurisdiction, albeit an insignificant one. The extent of the custom jurisdiction's boundaries was presumably the burgh's trading precinct, which was the same as its constabulary. This covered the boundaries of the parish, "as weekly sprinkled with holy water by the parish clerk thereof, and no further".<sup>55</sup> Kinghorn's 1542 account included Burntisland, which previously had been part of Dunfermline's regality. This proved a one off; in the following decade the accounts were stated as being for both burghs, but it appears this was merely nominal and the accounts were simply for Kinghorn. From the mid-1550s they were definitely two separate jurisdictions.<sup>56</sup>

### (c) Burntisland

When Burntisland was established as a free burgh under the Crown's control in June 1541, the charter reserved the great customs for the Crown.<sup>57</sup> The burgh's first account as a royal custom jurisdiction began in August. Previously Burntisland and its haven called the "Port of Grace" were within the regality of Dunfermline, and any custom duties arising from exports would have been paid to the Abbot. In all likelihood the export volumes were insignificant until the harbour came under royal control and a significant harbour building programme was implemented.<sup>58</sup>

In 1542 an account for the customs of Kinghorn and Burntisland was rendered by Emendis Gurlaw, who had been the custumar for Kinghorn since August 1535. Thereafter

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<sup>54</sup> There are no accounts for Kinghorn 1506-35, and 1567-82, but small quantities of goods customed at Kinghorn appear in Edinburgh's entry books of cockets for 1511, 1513, and 1567. NAS, E.71/29/2, ff. 8, 10v; 29/3, f. 13; 32/6, f. 4; 32/7, f. 11. None were recorded in 1528 or 1581. E.71/29/4; 32/9.

<sup>55</sup> This ruling came from a case, in 1449, between Inverkeithing and Kinghorn, concerning the trading liberty of the latter; the dispute continued and exactly the same judgement was given again in 1473. W. Stephen, *History of Inverkeithing and Rosyth*, p. 8.

<sup>56</sup> The accounts for the custumar for Kinghorn from August 1543-October 1552 were stated as being for Kinghorn and Burntisland. In 1555, however, the Exchequer noted Burntisland's customs had not been presented since July 1542.

<sup>57</sup> R.M.S., III, no. 2383.

<sup>58</sup> For James V's harbour works see J. Blyth, *Burntisland History: History and People* (Kirkcaldy, 1948), pp. 86, 121-2. Dunfermline Abbey came to resent the loss of the burgh, and fought a "protracted delaying action" to prevent it becoming a royal burgh. Burntisland, however, secured a new erection charter in 1586, which was validated in Parliament the following year. G.S. Pryde, *The Burghs of Scotland: A Critical List* (Glasgow, 1965), no. 57.

Burntisland disappears,<sup>59</sup> until Patrick Loch was appointed customar for the port and haven of Burntisland in January 1555.<sup>60</sup> From this time accounts were regularly rendered to the Exchequer, with the only (unusual) absence between October 1589 and July 1596, though the jurisdiction was still in operation, and issuing cockets.<sup>61</sup> The absence was presumably for a legitimate reason, since it was not condemned by the Exchequer.<sup>62</sup>

The extent of Burntisland's trading liberty is likely to have been limited and may even have been confined to the burgh's boundaries.<sup>63</sup> The custom jurisdiction would have been of a similar magnitude. Of considerably greater importance were the burgh's port facilities, and these were frequently used by other burghs. On a number of occasions Edinburgh's burgh authorities even attempted to prevent their burgesses exporting goods from Burntisland.<sup>64</sup> The harbour and its facilities rather than exports from the burgh's hinterland led to a rise in its importance; Burntisland's actual custom receipts were insignificant.

#### (d) Dysart

In 1452, William, Earl of Orkney, secured from James II, for the inhabitants of the town of Dysart, the freedom from customs on salt exports.<sup>65</sup> Prior to this, and again immediately after the gift was revoked on the monarch's death, the inhabitants' salt customs would have been included in Edinburgh's accounts. In 1464 David Boyis rendered an account for salt exported from the ports of Dysart and Ravenscraig. This included 48 chalders of salt, though the customs on 27 chalders of it had been collected by the customar of salt in Leith. After this one year Dysart disappears from the custom accounts. In 1465-67 John Multrare

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<sup>59</sup> See note 56 on p. 63 above.

<sup>60</sup> *R.S.S.*, IV, no. 2892.

<sup>61</sup> *NAS*, E.71/32/10, f. 4v; 32/11, f. 3v.

<sup>62</sup> In March 1594 the office of customar, clerk of cocket and searcher in the port and liberty of Burntisland was gifted by James VI to Queen Anne. *R.M.S.*, VI, no. 75. In 1588 the same grant had been given to Robert Melville and his son, but it included the provision that they were to make compt and pay the customs as accustomed. *R.M.S.*, V, no. 1476.

<sup>63</sup> *R.M.S.*, IV, no. 2212, J. Blyth, *Burntisland History*, pp. 21-2. See also J.M. Webster's map of the Regality of Dunfermline's probable boundaries in the early sixteenth century in *Regality of Dunfermline Court Book, 1531-1538* (Dunfermline, 1953). True to form, Inverkeithing tried, with no success, to halt Burntisland's entry to the Convention of Royal Burghs, claiming it was prejudicial to their privileges. *R.C.R.B.*, I, pp. 201-3.

<sup>64</sup> *Edin. Recs.*, II, pp. 114-5, 208; IV, pp. 27, 385. Merchants from Edinburgh, however, continued to export goods from Burntisland. Wool, hides, cloth, and salmon, for instance, belonging to a number of Edinburgh burgesses, were loaded onto the *Angel* and taken from Burntisland to Veere in 1559. *Acta Curiae Admirallatus Scotiae*, edited by T.C. Wade (Edinburgh: Stair Society, vol. 2. 1937), pp. 168-170. There are a whole series of actions by various burghs about Burntisland's port and its harbour. *R.C.R.B.*, I, pp. 337, 375-6, 389, 416, 491.

<sup>65</sup> *R.M.S.*, I, no. 543; *E.R.*, VII, pp. 627-8.



rendered accounts for the burgh's petty customs of salt and victual in the rolls of the burgh farms, though despite being termed "petty customs" they are in all likelihood export and import customs.<sup>66</sup> Between July 1469 and July 1471 the salt customs were included in William Haket's custom account for Crail and Ravenscraig. In Haket's subsequent accounts, he is described as the custumar for the ports of Dysart and Pittenweem. Accounts incorporating the two areas continued until the mid-1480s, and in virtually all these accounts the salt was described as being customed at Dysart and the sea fish at Pittenweem.<sup>67</sup> In 1481-84 the accounts were described as being from the "custumar for salt and fish of Dysart and Pittenweem, and the north shore of the Forth".<sup>68</sup> After July 1481, however, sea fish disappear from these accounts. Either Pittenweem was no longer included while the title "Dysart and Pittenweem" persisted, or else there was a genuine decline in sea fish exports, possibly as a result of war with England. From 1485 the Dysart and Pittenweem jurisdictions were definitely separated, and thereafter they always rendered separate accounts.

The custom jurisdiction at Dysart was initially created to custom all the salt exports from the north shore of the Forth, a specific responsibility which is unlikely to have persisted. The fact that Dysart was virtually the only Fife jurisdiction to custom salt well into the sixteenth century is likely to be a reflection on the genuine export pattern rather than any extensive salt customing privileges persisting. Conversely, from the 1490s, Dysart's custom jurisdiction also began to custom traditional exports, which had previously been almost entirely absent.<sup>69</sup> Hides, woolfells and skins continuously appear after 1490-91. This coincides with a sharp fall in Inverkeithing's customs for these commodities. In the subsequent twenty years the two jurisdictions had an inverse relationship in the level of their hides and skin customs. Dysart was within Inverkeithing's trading liberty,<sup>70</sup> and it is likely that the older exports continued to appear in Inverkeithing's custom accounts only until the

<sup>66</sup> In 1465 wheat and salt petty customs £5 15s.; 1466 salt and malt £4 18s.; 1467 malt, salt and fish £7 18s. 8d. *E.R.*, VII, pp. 375, 514-5.

<sup>67</sup> All the salt in 1474, 1476, 1478-80, 1484 was described as being customed and/or exported from Dysart. Herring, in 1480 and 1481, and cod, in 1476 and 1480, were listed as from Pittenweem. It was only in 1481 that both locations were mentioned. Pittenweem exported 97% of the cod exports, and Dysart was responsible for the remainder.

<sup>68</sup> In this period Crail rendered accounts only from February 1477 to July 1480, none of which contained fish or salt.

<sup>69</sup> The only goods, apart from fish and salt, in the Dysart and Dysart/Pittenweem accounts between 1471 and 1489 are two dakars of hides in 1480; two dozen cloth in 1488; small quantities of oil, pitch and tar in 1488, and English imports in 1475, 1477, 1486, and 1488-89.

<sup>70</sup> See, for instance, the disputes concerning the Dysart's petty customs, ownership of which was claimed by, and proved to belong to, Inverkeithing. W. Stephen, *History of Inverkeithing and Rosyth*, pp. 8-9.



customars at Dysart held full power to deal with all customable goods. Thereafter the inverse trends are “real” changes in export location.

The custom jurisdiction at Dysart went from customing all the salt from the North shore of the Forth (ca. 1464-1490) to being a “normal” custom jurisdiction, customing all goods, within a prescribed boundary (ca. 1490-1600). The limits of the custom jurisdiction for the latter may have been more slightly more extensive than the burgh’s actual trading liberty. In 1549 the barony burgh held “to the banks of the river Ore”, yet the office of customar of Dysart also included Wemyss.<sup>71</sup> It would seem logical for the jurisdiction to stretch to the Leven, the eastern extent of Inverkeithing’s ancient trading precinct. The western boundary would probably have been the land of Dunfermline Regality surrounding Kirkcaldy. This, however, remains speculative.

#### (e) Culross

In 1580 a custom jurisdiction was established at Culross, with responsibility for the territory between Stirling and Queensferry. This area was within Inverkeithing’s trading precinct, and at the start of the fifteenth century wool belonging to the Abbot and convent of Culross was included in Inverkeithing’s custom accounts.<sup>72</sup> It was for salt and coal exports that Culross would become noted. In the first three-quarters of the sixteenth century Culross appears to have produced relatively little salt. Even by 1573 there were only 7 salt pans there, compared with 23 in Kirkcaldy and 16 in Dysart, and the 38 pans in Prestonpans and Musselburgh.<sup>73</sup> Shortly after this the active involvement of George Bruce led to a dramatic rise in Culross’s salt and coal production, and, importantly, their export.<sup>74</sup> In 1578, to regulate this trade, Robert Erskin was appointed searcher of all salt exported from the town and lordship of Culross, except Crombie. He was to give testimony of the quantity of the salt to the customars and the clerks of cocket so that cockets might be given accordingly.<sup>75</sup> The job description suggests the area’s customs were included in the accounts of an established

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<sup>71</sup> *R.M.S.*, IV, no. 396; *R.S.S.*, I, no. 439.

<sup>72</sup> Robert III granted the Abbot and Convent the right to export 12 sacks of wool per year custom free, a privilege which they enjoyed until James I’s return from captivity. Most of their wool was given in Inverkeithing’s accounts, although between 1411-13 it appeared at Perth. It should be noted that over time this exemption appears to have simply become an annual monetary payment, but some of the references may relate to genuine wool exports. *E.R.*, IV, pp. 48, 151, 175.

<sup>73</sup> In the same year Nichol Reid in Leith gave surety that the salt bought in Culross by James Friskin of Leith would not be exported. Exporting salt produced at Culross was, therefore, inconceivable. *R.P.C.*, II, pp. 265-6, 290, 293-4.

<sup>74</sup> Bruce leased the mining rights at Culross in 1575. In the period between 1572-1625 he was said to have owned 44 salt pans. C.A. Whatley, *The Scottish Salt Industry* (Aberdeen, 1987), p. 37.

<sup>75</sup> *R.S.S.*, VII, no. 1642.

custom jurisdiction. This procedure cannot have been sufficiently effective, for in 1580 Culross was created a separate custom jurisdiction, with responsibility for all the exports between the bridge of Stirling and the town of Queensferry.<sup>76</sup> Thereafter, the jurisdiction remained in place, although, in a scenario ripe for abuse, George Bruce was made customar.

In the 1570s Culross's salt and coal exports expanded impressively until a separate custom jurisdiction for them was deemed necessary, and established in 1580. Prior to this, the area's salt and, possibly, coal customs were included in Edinburgh's accounts. Edinburgh's magistrates held the responsibility for preventing the export of forbidden goods from the bridge at Stirling to Berwick, as well as the Fife coast.<sup>77</sup> More significantly in 1575, it was decreed that any ship laden "in the narrow watter of the Firth of Forth at the Powis of Alloway, Auch, Carroun Mowth [i.e. Alloa, Airth? and Grangemouth], and sic uther partis quhair na schippis usit to tak in thair full laidynning of before" were to present their entries (or prevy cocket) to Patrik Bellenden, principal clerk of Edinburgh, to be searched by him and receive a general cocket.<sup>78</sup> Edinburgh, therefore, took responsibility for the customing and searching of goods in the Narrows of the Forth, an area which Culross's custom jurisdiction would cover in part. This seems to be borne out by examination of the custom accounts. Salt customs at Edinburgh grew during the 1570s, before collapsing to virtually nil once Culross became a separate customs precinct (Table 3-1). There was even a degree of continuity between those merchants customed for salt at Edinburgh in 1579 and 1580 and at Culross in 1580, and perhaps tellingly, George Bruce was one of those customed at Edinburgh in 1580.<sup>79</sup> Inverkeithing's accounts, on the other hand, do not contain any salt between December 1577 and August 1582. This makes it highly unlikely that Culross's salt exports had ever been customed at Inverkeithing, even though the new jurisdiction was created within its bounds.

In 1580 a jurisdiction was established at Culross which remained in operation for the rest of the century. A strong case can be made for Culross's salt, and perhaps coal, being

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<sup>76</sup> NAS, E.71/7/1, f. 2; Culross 1580-81. In 1587 Inverkeithing queried the customing of the ships passing up the narrow water of the Forth on the north side, although what their query was is not recorded. *R.C.R.B.*, I, p. 235.

<sup>77</sup> *R.P.C.*, IV, p. 159.

<sup>78</sup> *R.P.C.*, II, p. 446.

<sup>79</sup> In addition to George Bruce, there were a number of other exporters appearing in Edinburgh's 1579-80 particular accounts, and in Culross's 1580 account: Johne Dawling, Richard Falconer in Bo'ness, James Fergus in Culross, William Law in Kirkcaldy, Robert Quhite in Kirkcaldy, John Porterfeild in Edinburgh, Michell Quhite, James Thomson, James Ronnold in Edinburgh, Alexander Dazell. These merchants accounted for 57% of Culross's salt customs in 1580. NAS, E.71/30/20-21; 7/1.

contained in Edinburgh's custom accounts immediately prior to its elevation. The trade presumably began in the mid-1570s, before which the area's salt and coal exports are likely to have been negligible.

**Table 3-1: Salt Customs at Edinburgh, Culross, and Inverkeithing, 1573-1582**

Edinburgh		Culross		Inverkeithing	
Period	Chalders	Period	Chalders	Period	Chalders
Dec 73-Nov 74	21.5			Oct 72-Oct 74	2.5
Nov 74-Oct 75	90			-	-
Oct 75-Oct 76	378			Mar 76-Nov 76	1.25
Oct 76-Oct 77	453.5			Nov 76-Dec 77	102
Oct 77-Oct 78	779.5			Dec 77-Oct 78	0
Oct 78-Oct 79	607			Oct 78-Oct 79	0
Oct 79-Oct 80	112	Feb 80-Sep 80	526.5	Oct 79-Oct 80	0
Oct 80-Aug 81	1	Sep 80-Aug 81	563	Oct 80-Aug 81	0
Aug 81-Aug 82	0	Aug 81-Oct 82	556	Aug 81-Aug 82	0

Source: Custom accounts, Appendix 1, pp. 366, 415, 429. Not including barrelled salt.

#### (f) Regality of Dunfermline

In 1321 Robert I granted Dunfermline Abbey the right to all the great customs from their land. The burghs of Dunfermline, Kirkcaldy, Musselburgh, and Queensferry were specifically named in the charter.<sup>80</sup> David II confirmed these rights, and additionally granted the Abbey the port at the Grange of Gellet or Wester Rosyth for exporting wool, hides, and fells.<sup>81</sup> The Abbey's rights were temporarily suspended during the reign of Robert II (or Robert III). The tron and customs were arrested since the Abbey had encroached "to no small prejudice" on the great customs owed to the Crown, but they were released shortly after and the Abbey was allowed to continue to receive the customs, providing no further encroachment was made.<sup>82</sup> Despite further conflicts with the Crown,<sup>83</sup> Dunfermline Abbey's

<sup>80</sup> *R.R.S.*, V, no. 188. The act allowed them to have their own cocket seal. Bruges was immediately informed of the validity of it, and the customars of Perth were told to allow these cockets to pass. A short time later, a letter patent was sent to the Chamberlain to secure the recognition of the Abbey's cocket. J.M. Webster, *Regality of Dunfermline Court Book, 1531-1538*, p. 24; *R.R.S.*, V, nos. 199, 303. For the Abbey's actual cocket seal see H. Laing, *Descriptive Catalogue of Impressions from Ancient Scottish Seals* (Edinburgh: Maitland Club, vol. 68. 1850), p. 215.

<sup>81</sup> *R.R.S.*, VI, nos. 310, 311.

<sup>82</sup> *Registrum de Dunfermlyn*, no. 394. Webster dates the revocation of the arrest to 1404, while Henderson gives it as 1383. The confusion arises because the act was dated the fourteenth year of Robert's reign, which could refer to either Robert II or III. Webster implies the encroachment was the Abbey keeping the King's share of the increased custom duties, and certainly after the custom rates were increased other ecclesiastical foundations such as St Andrews and Arbroath were entitled only to the old duties. This, however, was not the case at Dunfermline. At no time did the Abbey appear liable to the Crown for any of the duties arising from its regality. The encroachment may have instead been geographical. This had been specifically prohibited in David II's charters, which had reserved the Crown's right to the great customs from merchandise accruing beyond the limits and bounds of the said burghs and regality. J.M. Webster, *Regality of Dunfermline Court Book*, p. 24; E. Henderson, *The Annals of Dunfermline and Vicinity* (Glasgow, 1879), p. 141.

rights were continually re-affirmed<sup>84</sup> and they continued to receive the customs from the regality.<sup>85</sup>

B. Webster's map of the probable boundaries of the Regality of Dunfermline in the early sixteenth century shows five separate precincts. Roughly, these comprise from Limekilns to Queensferry and inland; a two mile radius around Burntisland; a mile to the north and south, and four miles to the east of Kirkcaldy; an inland area about five miles east of Loch Leven; and beyond the Leven, an area between Drumeldrie and Ruddons Point.<sup>86</sup> The customs within these limits would have been paid to the Abbot of Dunfermline (and later the Commendator), rather than the royal Exchequer. Even to contemporaries the boundaries may not have been entirely clear cut. The harbour at Limekilns ("Gellald"), for instance, had been granted to the Abbey by David II, yet in 1541 John Scheirlie of Alloa exported hides and shorlings there, and these goods were included in Inverkeithing's account. The custumar declared he had not actually seen the goods and the duty was decided by agreement with the merchant. Further, in 1584, the lord auditors were to decide whether coal exported by George Halket of Pitfirrane from Limekilns should pay customs to the Commendator of Dunfermline or the "tacksmen" of the great customs.<sup>87</sup> Perhaps the disputes suggest it was not a common export location.

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<sup>83</sup> In 1540 the Abbot of Dunfermline was ordered to prove his right to make English merchants coming to Kirkcaldy pay customs on English goods, as payable elsewhere. The Abbot showed his right, granted by Robert I, to the customs within the Regality. He was commanded, however, to cease "intrometting with ony custumes pertenying to our soverane lord of his rialty and siclike of all streangearis resortand to ony port or part within this realme", since the rights only extended to the customs within Dunfermline, Musselburgh, Queensferry, and Kirkcaldy and the regality. This could imply that he did not have the right to collect customs on English imports. More likely, he was not to custom wares which were to be sent elsewhere for sale, or which had already been customed. *A.D.C.P.*, pp. 493-4.

<sup>84</sup> A list of the titles of charters states Robert III confirmed the kirk of Inverkeithing and the great customs of Inverkeithing [lege Dunfermline?], Musselburgh, Kirkcaldy, and Queensferry to the Abbey of Dunfermline. *R.M.S.*, I, appendix II, no. 1891. The right to the great customs of Dunfermline, Kirkcaldy, Musselburgh, and Queensferry and the remainder of the regality was confirmed by James II. E. Henderson, *Annals of Dunfermline*, pp. 156-9.

<sup>85</sup> The rights can be seen in practice in the sixteenth century when goods customed under Dunfermline Abbey's cocket regularly appear in Edinburgh and Dundee's entry books of cockets. They were variously listed as cockets of Dunfermline (NAS, E.71/29/2-4), Dunfermline and Kirkcaldy (E.71/32/1, 3-13), or the Regality of Dunfermline (E.71/12/5, 7). Wool customed at the monastery of Dunfermline by their own cocket was referred to in Perth's custom accounts in 1515 and 1518.

<sup>86</sup> J.M. Webster, *Regality of Dunfermline Court Book*, unbound map. See also E.P. Dennison's map "The Burgh trading liberties of Dunfermline, Kirkcaldy, and Inverkeithing about 1500" in P.G.B. McNeill and H.L. MacQueen (eds.), *Atlas of Scottish History to 1707* (Edinburgh, 1996), p. 235. For disputes between Dunfermline and Kirkcaldy over the exact extent of their hinterlands within the Regality see *The Gild Court Book of Dunfermline, 1433-1597*, edited by E.P.D. Torrie (Edinburgh: Scottish Records Society, New Series 12, 1986), pp. xxix-xxx.

<sup>87</sup> *E.R.*, XXI, p. 580.



In 1541 Burntisland became part of the Crown's property, and soon rendered custom accounts to the royal Exchequer. Previously any exports from the area would have been paid to the Abbot of Dunfermline, though they were unlikely to have been of much significance. In the 1580s Kirkcaldy's customs were included in the lease of customs of the realm,<sup>88</sup> and from 1590 Kirkcaldy began, for the first time, to render accounts to the royal Exchequer. Between July 1593 and July 1596 the burgh's customs were leased. In the other years the bulk of entries seem to have been English imports. The only items which might have been exports were a fiddler of lead in 1593 (and this could have been an English import or a re-export), and a relatively sizeable quantity of fish in 1590. There are, however, numerous references to suggest the burgh was heavily involved in shipping, and was exporting goods.<sup>89</sup> In particular an account in 1600 for salt export licences records Kirkcaldy exporting 468 chalders of salt,<sup>90</sup> a level similar to Culross's salt exports. Evidently, the burgh was more involved in the export trade than their 1590s custom accounts appear to suggest. Possibly in the 1590s Kirkcaldy's customar did not have authority to custom exports, or, more likely, the receipts were not paid to the Exchequer, perhaps because they continued to be the property of Dunfermline Abbey. In 1588 the customars of the burgh were ordered to make payments on English goods to the collector of the customs,<sup>91</sup> which may have been obeyed, while export customs continued to be paid to Dunfermline Abbey-or, in reality, the Commendator.

## V. EAST NEUK OF FIFE

A custom jurisdiction was established at Crail in the early fifteenth century,<sup>92</sup> which presumably extended from the Leven to the Kenly Burn ("Puitken water"), the bounds of the burgh's trading precinct.<sup>93</sup> Prior to the creation of the jurisdiction any exports from the area

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<sup>88</sup> *R.C.R.B.*, I, pp. 255-8.

<sup>89</sup> Edinburgh's entry books of cockets list numerous goods, primarily cloth, customed at Dunfermline and Kirkcaldy and exported from Edinburgh throughout the sixteenth century. It is not possible to differentiate the origin of the goods more precisely.

<sup>90</sup> NAS, E.71/28/1, ff. 1-2.

<sup>91</sup> *R.C.R.B.*, I, p. 288.

<sup>92</sup> In 1331 Crail was customed for money exported. *E.R.*, I, pp. 363-4.

<sup>93</sup> *R.R.S.*, V, no. 403. These rights were confirmed in 1371 and 1553. J. M. Leighton, *History of the County of Fife* (Glasgow, 3 vols., 1840), III, p. 86. For the view that the trading precinct stretched only to Kingsbarns see M.F. Conolly, *Fifiana; or, Memorials of the East of Fife* (Glasgow, 1869), p. 214.



are likely to have been included in the accounts for St Andrews.<sup>94</sup> Certainly in the early fourteenth century, during the English occupancy of Scotland, Ivo of Carlisle was the keeper of the cockets of the towns of St Andrews and Crail.<sup>95</sup> Even by 1506, the bailies of St Andrews evidently still felt some claim on the customs of Crail, when they took the customs from its customars. These were ordered to be restored, and the sheriffs of Fife were commanded to protect the customs and duties “as thai have bene in lang use of before”.<sup>96</sup> It may be significant that the Crail jurisdiction appeared a few years after the great customs from the city and territory of St Andrews were granted in full to the Bishop of St Andrews in 1405; Crail was not included within its territory.<sup>97</sup> Alternatively the Crown may have been seriously contemplating the introduction of fish export customs,<sup>98</sup> a trade Crail was heavily involved in, hence necessitating a jurisdiction there.<sup>99</sup> In any case, the first account was rendered in 1410, and the customar was paid for having a cocket seal made for the jurisdiction. The jurisdiction remained in operation until 1513, though for the first two-thirds of the fifteenth century, when customs were restricted to wool, woollfell, and hide exports there were few accounts, and those that were rendered always contained minuscule amounts.<sup>100</sup>

In the final third of the fifteenth century, fish customs were comprehensively enforced for the first time. As a consequence, the East Neuk became considerably more important in terms of customable exports. In 1471 an account for Crail and Ravenscraig, covering the previous two years, was rendered, the first time an account incorporating Crail had been presented since 1453. The account was presumably for all the salt and sea fish exported from the North shore of the Forth. The responsibilities remained the same, but the following year, and subsequently until 1480, the name of the accounts was changed to

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<sup>94</sup> The Bishop of St Andrews received a proportion of all the customs on the goods from his territory (a quarter from 1368). If, as seems likely, Crail’s exports were customed there, the Bishop would also receive his duty on them. The Crown may have been willing to sacrifice the small amount on the tiny quantity of customable exports from Crail to avoid the expense of creating a separate jurisdiction there.

<sup>95</sup> *C.D.S.*, II, p. 441.

<sup>96</sup> *R.S.S.*, I, no. 1300.

<sup>97</sup> *E.R.*, III, p. 623-4.

<sup>98</sup> There was a failed attempt in the late 1390s to introduce custom duties on other exports, although sea fish were not included. *E.R.*, III, p. lxxxi. More importantly, the grant of the great customs to Bishop of St Andrews included any customs which were to be levied in the future, including fish. *E.R.*, III, pp. 623-4.

<sup>99</sup> The fishing industry at Crail is attested by the numerous references to fish sent to the royal household from Crail at this time. Fish exports were a definite possibility. *E.R.*, III, *passim*.

<sup>100</sup> Not counting the missing custom rolls, there are no accounts for Crail in June 1412-May 1425, June 1434-June 1442 (perhaps granted to the queen), and June 1453-July 1469.

“Dysart and Pittenweem”; and from 1481-84 they were specifically described as the salt and fish from Dysart and Pittenweem and the North shore of the Forth. It should be noted, however, that sea fish disappeared from the accounts after July 1481. Either the jurisdictions had become separated and the title persisted, or else there really was a decline in sea fish exports. There was, after all, a war with England in the period. Accounts for fish and salt from the Forth, therefore, appeared in various guises between July 1469 and July 1481/August 1484. Within this period, February 1477-July 1480, the jurisdiction at Crail re-appeared, and small quantities of hides, cloth, rabbit, and lambskins were customed. Salt and fish exports, on the other hand, were not included, since they were the responsibility of the salt and fish customars on the North shore of the Forth.

After July 1481/August 1484 accounts for the North shore of the Forth’s sea fish customs briefly disappear. They re-appear in an account between August 1486 and July 1487 titled “Crail and Pittenweem”, although the two jurisdictions were differentiated in the account and had separate customars. Thereafter, and until 1513, Crail and Pittenweem rendered their own separate accounts. Moreover, the jurisdictions had responsibility for all the customable exports from their territory rather than being restricted to specific commodities. The exact territorial division of the two jurisdictions is not known, though between them they must have covered from the Leven to the Kenly Burn (Map 3-7).<sup>101</sup> Anstruther, for instance, was occasionally mentioned in the title of Pittenweem’s accounts, but at other times appears to have been included in Crail’s accounts.<sup>102</sup> The similar trends in fish export for the two jurisdictions, however, suggests there was no great shift in administrative boundaries, or, indeed, actual export locations up to 1513.

From 1513 and for the remainder of the sixteenth century there was a single custom jurisdiction covering the area from the Leven to Kenley Burn. Initially this was simply called Pittenweem; Crail was added to the title from 1525, and Anstruther after 1560, merely changes to the name rather than any alteration in the actual extent. The cockets issued, for instance, included Anstruther long before its appearance in the title, while the name Pittenweem disappeared from the cocket accounts in the second half of the sixteenth

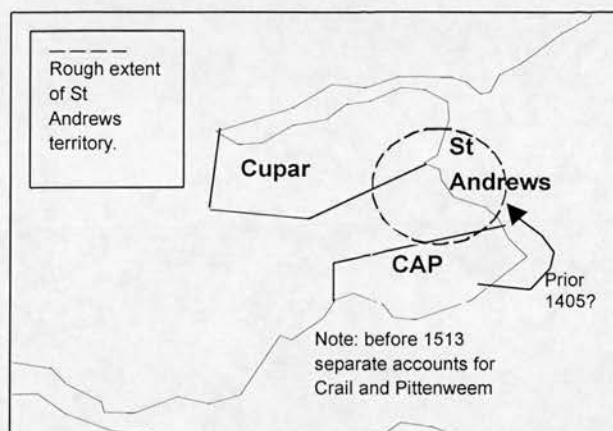
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<sup>101</sup> Considerably later, in 1587, during the burgh’s lease of the customs of the realm, Pittenweem’s jurisdiction extended to the water of Leven. *R.C.R.B.*, I, pp. 255-8.

<sup>102</sup> In 1500 hides and cod taken from Anstruther to Leith were included in a cocket of Crail. NAS, E.75/1/8.

century.<sup>103</sup> Certainly the jurisdiction for the area remained unaltered. In 1546 the searcher's jurisdiction was between Fife Ness and Largo, and in 1574 the clerk of cocket and searcher was responsible for all the havens between Dysart and St Andrews. The slight discrepancy is merely one of phraseology, with the former including the extremities while the latter does not.<sup>104</sup>

**Map 3-7: East Neuk Custom Jurisdictions, 1328-1600**



## VI. THE TAY

### (a) Cupar and St Andrews

Cupar appeared in the first surviving customs rolls. Two accounts were rendered covering August 1327 to July 1328, and then the accounts completely disappeared. In 1345 Cupar's great customs were granted to Duncan, earl of Fife.<sup>105</sup> It is possible that a similar gift had been made at an earlier date, which would explain the disappearance of the jurisdiction's accounts. In 1359 an account for Cupar was rendered, when half of the new double custom duties and the entire triple customs on hides and fells were paid to the Crown.<sup>106</sup> The next

<sup>103</sup> The names for the jurisdiction in entry books of cocket are listed as "Pittenweem" in 1538, and ca. 1540; "Anstruther and Crail" in 1528, 1555, 1565, 1567, and 1576; "Crail" in 1567; and "Anstruther" in 1563, 1581, 1593, and 1596. The name changes are likely to represent a combination of clerical convenience and a changing headport, or more important port, within the jurisdiction. In Edinburgh's 1528 cocket account, a series of margin notes makes a distinction between the cockets of Anstruther and Crail, although both were under the heading of Anstruther and Crail, suggesting the different burghs had deputy offices working under the head office. NAS, E.71/29/4; 32/1-4, 7, 9, 12, 13; 12/7.

<sup>104</sup> *R.S.S.*, III, no. 1451; VI, no. 2296.

<sup>105</sup> *R.M.S.*, I, appendix, no. 888. In 1355 the Crown acknowledged the grant to the late Earl of Fife. *R.R.S.*, VI, no. 136.

<sup>106</sup> As in other burghs, the triple custom remained in the hands of the custumar to be charged in the next account. There was no subsequent account for Cupar, so the sum was paid directly to the Chamberlain in 1360. *E.R.*, II, p. 46.

account to the royal Exchequer did not appear until 1382. In the intervening period the Chamberlain's 1362 account recorded that the customars of Cupar had not appeared, although £73 13s. 10d. was received from the burgh's customs. The other surviving Chamberlain's accounts make no mention of Cupar. Those owning the customs of Cupar, presumably the Earls of Fife, had reasserted control over the entire customs of the burgh, including the new duties.<sup>107</sup>

In June 1381, Robert II granted the burgh and burgesses of Cupar a free port in the water of Motray. The charter stated that the customs and usual burthens due from the merchandise entering and departing were to be paid to the Crown. From September of the same year, Cupar re-appeared as a royal custom jurisdiction, and the first custom account even includes expenditure on a new tron. Thereafter, Cupar's customs remained the property of the Crown, and accounts were continuously rendered at the Exchequer until the close of the sixteenth century.<sup>108</sup>

St Andrews was a custom jurisdiction during Edward I's occupation of Scotland. It was also recorded as issuing cockets in the first surviving custom rolls.<sup>109</sup> Since the jurisdiction was under the ownership of the Bishop of St Andrews, however, accounts were not rendered to the royal Exchequer.<sup>110</sup> After 1359, however, this pattern changed. The bishop's rights to the old custom were confirmed in 1363, but the rights did not extend to the new increased custom duties, which were payable to the Crown. Accounts for St Andrews, therefore, were rendered to the Exchequer, and the bishop received a set proportion of the custom receipts.<sup>111</sup> This situation continued until Robert III granted the bishop all the great customs of the city and territory of St Andrews in 1405.<sup>112</sup> This included all future levies, whether on wool, hides, and fells and on as yet uncustomed goods such as meat, fish, and

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<sup>107</sup> A similar situation existed at Arbroath, where a custom account for 1358 to 1359 was rendered, before the customs disappeared from royal control until the end of the century.

<sup>108</sup> There were periods when accounts were not produced. In June 1435-April 1444 the customs were in the hands of the Queen Dowager, and there are no accounts for 1504, 1513-14, 1523-24, 1531-35, and 1566-73, when the customars, presumably, simply failed to appear.

<sup>109</sup> In 1328 Inverkeithing, for example, received a cocket issued at St Andrews. *E.R.*, I, p. 78.

<sup>110</sup> In 1363 David II issued a charter confirming to the Bishop of St Andrews the right to the great customs of his goods and men in the city of St Andrews. *R.R.S.*, VI, no. 296; *R.M.S.*, I, no. 134. In 1329, following the death of Bishop Lamberton, the vacant see of St Andrews and its revenues were assigned to the Earl of Carrick. Consequently the Earl's accounts between July and August 1329, contain receipts of £31 15s. from the customars of St Andrews. The sum was later remitted when it was found to have been wrongfully allowed. *E.R.*, I, pp. cxviii, 140, 142.

<sup>111</sup> The clerks of the Exchequer, therefore, simply allowed the bishop a third of the custom receipts, and later, after the custom duties were quadrupled, a quarter. Deductions were made for the bishops' contribution towards the repair of the tron and payments to the customs officials.

<sup>112</sup> *E.R.*, III, pp. 623-4.



others. A memorandum in the 1405 account noted the customar, clerk of cocket, and tronar were no longer obliged to attend the royal Exchequer. Thereafter, apart from two very brief periods in the 1420s and 1470s, the bishops retained the customs of the regality and consequently there are no accounts in the custom rolls.<sup>113</sup> In the 1580s, when the customs of the realm were leased, customars were appointed at St Andrews, and after the lease ended accounts for St Andrews finally began to be rendered to the royal Exchequer.<sup>114</sup>

From the early fourteenth century to the end of the sixteenth century there were separate custom jurisdictions at Cupar and St Andrews. Establishing their actual extent is problematic and there may have been a degree of overlap. From the fourteenth century to at least the early seventeenth century the regality of St Andrews was also the extent of the custom jurisdiction,<sup>115</sup> although prior to 1405 the accounts are likely to have also included Crail's minuscule volume of customable exports.<sup>116</sup> The custom jurisdiction for Cupar was probably the burgh's trading liberty. This territory, nominally at least, covered much of northern and central Fife, while within these bounds St Andrews, Dunfermline Abbey, and Dundee held ancient rights and trade privileges.<sup>117</sup> In terms of trading rights there was constant tension between Cupar and St Andrews, with the latter continually asserting their right to buy and sell wool, hides, and fells within Cupar, and "throughout the sheriffdoms of Fife and Forthryff, without any impediment being made whatsoever". The custom jurisdictions may also have been affected. In 1355 letters to the Chamberlain of Scotland and other officials, including the customars of Cupar, stated that the bishop and burgesses of St

<sup>113</sup> Initially the newly introduced cloth customs were paid to the Crown (April 1428-April 1431, August 1434-July 1435), before reverting to the Bishop. The whole of the customs temporarily reverted to the Crown at the start of James III's maturity (June 1472-July 1475). This was the same administration that had vigorously re-introduced James I's custom duties. The Bishop was quickly able to re-assert his rights.

<sup>114</sup> *R.C.R.B.*, I, pp. 249, 255-8.

<sup>115</sup> The Bishop of St Andrews had the right to "the great custom of all his goods and the men of the city of St Andrews" confirmed in 1363. In 1405 the Bishop was granted the customs of the city and territory of St Andrews, and in 1583 the jurisdiction was for "the city of St Andrews and port of the whole regality theirow". A charter in 1618 recorded the office of "'lie cocket, customarii, lie searcharie...regalitis' of St Andrews". *R.R.S.*, VI, no. 296; *R.S.S.*, VIII, no. 1296; *R.M.S.*, VII, no. 1766.

<sup>116</sup> In 1506 the bailies of St Andrews felt themselves entitled to some claim on the customs of Crail, since they took them from the customars of Crail. They were ordered to be restored and the sheriffs of Fife were told to protect the customs and duties which had been in use long before. *R.S.S.*, I, no. 1300.

<sup>117</sup> James I's charter to Cupar stated that their buying and selling liberty was within the land from the water of Kemback south to Largo, and by one of the marches between Cupar and Inverkeithing to the water of Leven, and following the Leven to Milnathort; thence northwards to Crossmacduf (above Newburgh) and the Tay, then following the Tay to the mouth of the Eden and up the Eden to Cupar-always saving the ancient rights of St Andrews and Dunfermline Abbey within this territory. *Charters and other Muniments, belonging to the Royal Burgh of Cupar*, edited by G. Home (Cupar, 1882), pp. 6-8. *R.R.S.*, VI, no. 230.



Andrews were not to be prejudiced by the grant of the great customs of Cupar to the late earl of Fife. Furthermore they should not be obliged to pay the other customs on merchandise (wool, hides, and fells) imposed since the grant.<sup>118</sup> This tends to suggest the inhabitants of St Andrews were not liable to pay the great custom duties at Cupar, although they must still have been liable to pay customs to the bishop of St Andrews.<sup>119</sup> Presumably there were exact custom boundaries for the jurisdictions at Cupar and St Andrews that were then clearly defined, but which are now impossible to establish. The custom receipts from the period between 1380-1405, however, when they were both under some form of royal control, do not in any way suggest that there was any alteration in the boundaries of the two jurisdictions at the time.

#### (b) Perth, Dundee, and Montrose

The custom jurisdictions at Perth, Dundee, and Montrose all appear in the first surviving series of customs accounts, 1328-33.<sup>120</sup> Thereafter, apart from one or two brief exceptions, the areas continued to render accounts to the royal Exchequer.<sup>121</sup> The custom jurisdictions were the same as the respective burghs' trading bounds.<sup>122</sup> The burgh boundaries and hence the customs jurisdictions, can be broadly defined as the sheriffdoms of Kincardine, Forfar, and Perth for Montrose, Dundee, and Perth respectively.<sup>123</sup> Montrose's jurisdiction covered

<sup>118</sup> *R.R.S.*, VI, no. 136. See also *R.R.S.*, VI, nos. 296, 388, 462; *A.P.S.*, I, p. 509b.

<sup>119</sup> This could refer to goods taken from St Andrews' rural hinterland and exported via Cupar. There are occasionally references to goods being exported from the port in Eden, evidently different from the port at St Andrews.

<sup>120</sup> Custom jurisdictions at Perth and Dundee certainly pre-date this. Customs were collected at Dundee during the English rule of Scotland in the early fourteenth century, and in 1321 the collectors of customs at Perth were ordered to allow the cockets of Dunfermline Regality to pass. *C.D.S.*, II, pp. 433, 438, 440; *R.R.S.*, V, no. 199.

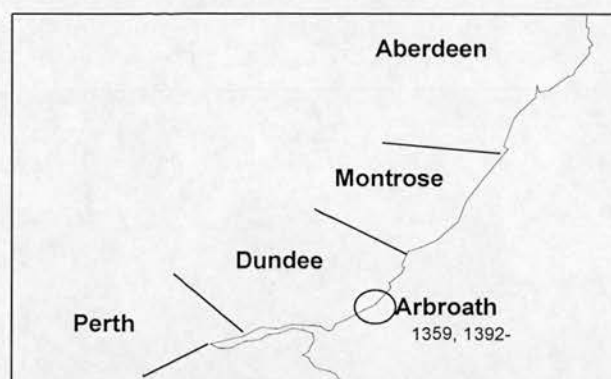
<sup>121</sup> Between August 1488 and December 1495 the customs of Montrose were given to the Duke of Montrose. *R.M.S.*, II, nos. 1725, 1895. In 1451 the great customs of Perth were granted to James II's Queen, and following his death they were rendered on separate custom rolls. *A.P.S.*, II, c. 22, p. 67; *R.M.S.*, II, no. 462. The Queen of James III was likewise gifted the customs of Perth in 1473. *R.M.S.*, II, nos. 1143, 1365. There are no accounts for Perth in 1510 and 1543-44, because their customars failed to appear at the Exchequer. Likewise, there are no accounts for Perth between August 1566 to January 1574. The entire custom roll for 1573 is missing. This may have contained Perth's customs up to that date, because in 1574 the customars were called to account only for the period between October 1573 and January 1574.

<sup>122</sup> In 1505 James and Robert Rollock were made the customars of Dundee and the sheriffdom of the same. *R.S.S.*, I, no. 1126. Elsewhere the burgh's various custom appointments were for "the said burgh within all the boundis of the samyn" or "within the ports, and haven of Dundee and freedom theirof". *R.S.S.*, I, no. 2755; IV, nos. 1085, 1706; III, nos. 868, 2462; VII, nos. 133, 273. In the same way the appointments at Perth and Montrose were both described as being for each respective "burgh and within all its bounds and freedoms". For Perth *R.S.S.*, III, no. 2910; IV, no. 1627; V, no. 2739; and Montrose *R.S.S.*, II, nos. 1776, 2461; V, no. 2928; VI, nos. 2235, 2287.

<sup>123</sup> See A. Grant's map "Baronies about 1405 (2): eastern Scotland" in *Atlas of Scottish History to 1707*, p. 203; and E.P.D. Torrie, *Medieval Dundee, A Town and its People* (Dundee, 1990), pp. 31-2.

from Findon to the South Esk. To the south of that river lay Dundee's jurisdiction,<sup>124</sup> extending to just west of Dundee and including both the north and, presumably, south sides of the Tay. Perth claimed the Tay as their exclusive trading area, but during this period their customs jurisdiction only extended to the upper Tay, with an extensive rural hinterland in addition.<sup>125</sup> Despite numerous disputes over the exact burgh boundaries and rights, they probably changed little in the later Middle Ages, and can have only had minimal impact on the customs jurisdictions (Map 3-8).

**Map 3-8: Tayside Custom Jurisdictions, 1328-1600**



<sup>124</sup> A spurious charter in the fourteenth century, which may reflect the twelfth century situation, claimed Montrose's trading area covered from Findon to the mouth of the Tay. From at least the early fourteenth century Dundee held exclusive rights within Forfar. *R.R.S.*, I, pp. 94-6; V, nos. 278, 336; VI, no. 122. The later medieval position is likely to have been that the area from the Tay to the South Esk was Dundee's liberty, and thence, north to Findon, was Montrose's. Certainly in 1506 those areas cited as having done great damage to the burgesses of Montrose and the King's great customs by exporting goods from within Montrose's freedom, lay between Findon and the South Esk: namely Stonehaven and Gourdon, and three unfree markets identified as Kincardine, Cowie and Urie. *R.M.S.*, II, no. 3017. In 1372 Montrose and Dundee received reciprocal trading rights within each others' districts. In the fifteenth century, however, Montrose tried, with little success, to assert its rights within the sheriffdom of Forfar. *R.M.S.*, II, no. 628; T. Keith, "The Trading Privileges of the Royal Burghs of Scotland", p. 464; A. Ballard, "The Theory of the Scottish Burgh", p. 17.

<sup>125</sup> For Perth's trading privileges throughout the sheriffdom see *British Borough Charters, 1216-1306*, p. 241. Perth alleged they had an exclusive right to trade within the Tay, as granted by Robert I, but Dundee claimed the right to load and unload ships within the Tay. *R.R.S.*, V, no. 117; VI, no. 352; E.P.D. Torrie, *Medieval Dundee*, p. 32. The dispute was settled in Dundee's favour in the early fifteenth century, and a similar verdict was given in the early seventeenth century. Perth's freedom was stated as the part of the river running along the county of Perth. Dundee's lay between Burn of Invergowrie and Gaw of Barrie on the north of the Tay, and on the south from the monastery of Balmerino to the Drumley sands. *Charters, Writs and, Public Documents of the Royal Burgh of Dundee, 1292-1880*, edited by W. Hay (Dundee, 1880), pp. 9-12, 18. These disputes and any changes in boundaries are unlikely to have had any significant impact on the customs. In the fifteenth century, and certainly in the sixteenth century, virtually all the legitimate exports from the Tay went via Dundee. Changes in custom jurisdictions would have had no impact on the relative custom levels. More important, for statistical analysis, would be changes in the proportion of Perth goods which were customised prior to being sent to Dundee.

### (c) Arbroath

In 1351 David II granted all the customs of goods in the burgh, port, and regality of Arbroath to Arbroath Abbey.<sup>126</sup> Prior to this, exports from the regality, which were probably minuscule, would have paid customs at either Dundee or Montrose, depending on the point of departure. Despite the Parliamentary revocation of all grants, this right was immediately confirmed in 1358;<sup>127</sup> the burgh initially paid the new custom duties introduced for the king's ransom, but only one custom account was rendered, covering from November 1358 to April 1359. No other account was presented at the Exchequer until the 1390s. In the intervening period the Crown confirmed the Abbey's rights to the old custom rates.<sup>128</sup> The remaining custom duties received were, presumably, the prerogative of the Crown, although Arbroath failed to account for these sums or even appear at the Exchequer, despite the fact that goods were being exported.<sup>129</sup> This situation changed in 1392, when a charter confirmed the Abbey's rights to the old customs, but made it clear that the remaining customs were to be paid to the Crown.<sup>130</sup> Indeed Arbroath's customar was ordered to appear yearly, to declare nothing had passed in prejudice to the king's customs.<sup>131</sup> As a result, from this time until the middle of the fifteenth century, custom accounts for Arbroath were rendered to the Exchequer.

There are no accounts for Arbroath between July 1450 to July 1472. The jurisdiction may have been legally back under the Abbey's control at this time. It is noteworthy that the accounts re-appeared at the same time as the Crown attempted to exert control over St Andrews's customs, and comprehensively re-introduced lapsed custom duties on a number of items. In any case, from 1472, accounts for Arbroath were rendered, though the quantities exported were minuscule. There were no accounts in 1522 to 1555, initially because of a lack of exports. In 1530 James V renewed David II's grant of the customs to the Abbey so that repairs could be made to the port, the lack of which had led to the impoverishment of the burgh.<sup>132</sup> At the start of 1555, immediately before the return of the jurisdiction's accounts,

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<sup>126</sup> *Liber S. Thome de Aberbrotoc; Registrum Abbacie de Aberbrothoc*. Vol. II, 1329-1536, edited by C. Innes (Edinburgh: Bannatyne Club, vol. 86<sup>2</sup>, 1856), nos. 24, 26; *R.R.S.*, VI, nos. 116, 123; *A.P.S.*, XII (Supplementary), c. 20, p. 11b.

<sup>127</sup> *R.R.S.*, VI, no. 172.

<sup>128</sup> *R.R.S.*, VI, nos. 432, 433.

<sup>129</sup> *R.R.S.*, VI, no. 440; the customars of Montrose were ordered to answer to the Abbey of Arbroath for the half merk of customs due to them.

<sup>130</sup> *R.M.S.*, I, no. 863.

<sup>131</sup> In all Arbroath's accounts rendered to the Exchequer until the closing decades of the sixteenth century, a quarter of the custom revenue was paid to the Abbey.

<sup>132</sup> *Liber S. Thome de Aberbrotoc*, II, no. 738; *R.M.S.*, III, no. 889.



the burgh was listed as exporting fairly large quantities of goods via Dundee.<sup>133</sup> This may have caused the royal jurisdiction to be resurrected, and from February 1555 to August 1557 accounts were presented. Thereafter they disappear again for a protracted period, simply because the customars failed to appear with the accounts. The Exchequer demanded an explanation for their absence this “long time past”, the most obvious being that receipts were so minute.<sup>134</sup> Accounts for Arbroath were then rendered from May 1572 until almost the end of the century.<sup>135</sup>

Initially Arbroath’s goods would have been customed at either Dundee or Montrose. A separate custom jurisdiction, originally under ecclesiastic and later royal control, was created in the early 1350s, covering the regality of Arbroath. Its erection is unlikely to have had any impact on the custom levels of the neighbouring burghs. The volume of exports after 1392, when figures are available, was always minuscule. The small and declining export trade helps explain why the customars failed to appear at the Exchequer for such long periods in the sixteenth century.

## VII. NORTHERN PORTS

### (a) Aberdeen

The custom jurisdiction at Aberdeen appears in the first surviving series of custom rolls, 1328-33. It had a longer antiquity; a cocket issued at Aberdeen in 1317 for exports of wool, woolfells, and hides, for instance, has survived.<sup>136</sup> The burgh’s accounts were consistently rendered to the Exchequer, except between May 1364 and March 1368, when the customs belonged to the “Queen”.<sup>137</sup> Aberdeen’s sherifffdom, granted during the reign of Alexander II, covered the coast from just south of Aberdeen to around Pennan,<sup>138</sup> and acted as the

<sup>133</sup> Arbroath’s custom account re-started in February 1555. Dundee’s cocket book contains 96 barrels of cod, 16.2 dakers of hides, and 3 barrels of salmon under the cocket of Arbroath, dated between the 9<sup>th</sup> of January and the 3<sup>rd</sup> of February 1555. There may also have been an additional 13 barrels of cod, and 9.8 dakers of hides at this time. NAS, E.71/12/5, ff. 6v-7.

<sup>134</sup> During Arbroath’s absence, Dundee’s cocket accounts in 1563 and 1567 do not include any goods customed at Arbroath. NAS, E.71/32/3; 12/7.

<sup>135</sup> The accounts stop after the customar, Thomas Peirsoun, resigned his office in July 1596. *E.R.*, XXIII, p. 508.

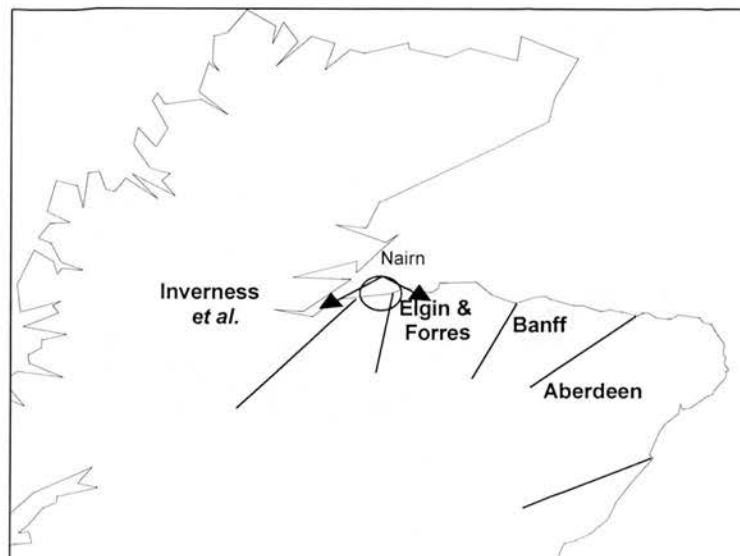
<sup>136</sup> *R.R.S.*, V, no. 126; *C.D.S.*, V, no. 632.

<sup>137</sup> *E.R.*, II, p. 143.

<sup>138</sup> For Alexander’s original charter 1215x1225 and subsequent confirmations see *Charters and Other Writs of the Royal Burgh of Aberdeen*, edited by P.J. Anderson (Aberdeen, 1890), nos. 3, 12 etc. For the boundaries of the sherifffdom see *Atlas of Scottish History to 1707*, pp. 203, 234.

boundary of the custom jurisdiction. In 1458, the provost, bailies and burgesses of Aberdeen were empowered to escheat all the wool, woolfells, and hides exported from the sheriffdom which had not paid their great custom duties, and similar grants were made in 1495 and 1511.<sup>139</sup> In the sixteenth century, custom officials were appointed for the burgh and all its bounds and freedoms, and the lease of the burgh's salmon customs covered the whole of the sheriffdom.<sup>140</sup> Furthermore in 1573, salmon shipped from Peterhead was customed under the cocket of Aberdeen.<sup>141</sup> Aberdeen's custom jurisdiction, bounded by Montrose and Banff, is unlikely to have undergone any significant changes from 1328-1600 (Map 3-9).

**Map 3-9: Northern Custom Jurisdictions, 1328-1600**



**(b) Banff**

Banff's custom jurisdiction, presumably, extended throughout its sheriffdom, an area which stretched from around Pennan to the Spey (Map 3-9).<sup>142</sup> The first reference to the Banff custom jurisdiction came in an Exchequer memorandum in 1331, which noted the burgh held

<sup>139</sup> *Charters of Aberdeen*, nos. 20, 24, 25.

<sup>140</sup> *R.S.S.*, I, no. 1419; IV, no. 2740; V, nos. 932, 1350; VI, nos. 551, 669.

<sup>141</sup> NAS, E.75/9/2. In 1574 there was a complaint that the Laird of Philorth and others loaded a Flemish ship in port of Faithlie with merchandise, and Aberdeen's privileges were upsurped in the ports and havens of Newburgh, Peterhead and others. Nearly twenty years later the burgh complained about the activities of ships at the water of Newburgh since it was "expreslie inhibit that ony... suld be lost or laidnit within the precinct and shireffdome of Aberdeen, bot at the port and heavin of the burght of Aberdeen". *Extracts from the Council Register of the Burgh of Aberdeen*. Vol. II, 1570-1625, edited by J. Stuart (Aberdeen: Spalding Club, vol. 19. 1848), pp. 10-1, 81.

<sup>142</sup> *R.S.S.*, III, no. 1056; IV, no. 2752. A. Grant, "Baronies about 1405 (2): eastern Scotland" in *Atlas of Scottish History to 1707*, p. 203.



a cocket.<sup>143</sup> The first surviving account did not appear until 1376, though admittedly few custom rolls have survived between 1332 and 1358. Even after 1376, accounts appeared only occasionally, with the small level of exports perhaps a factor in the absences. In 1390 the customar claimed there had been no customs in the preceding period, since no ship had been there for a long time. Whether this meant the entire period since the last account in 1382, bearing in mind that the entire 1384 custom roll is missing, or simply the time since the customar had entered the jurisdiction, is not clear. The lack of accounts between February 1391 and August 1424 is likely to be because Banff's customs were in the hands of the Earl of Mar;<sup>144</sup> perhaps the customs were a gift from the Crown or maybe they were simply appropriated during a period of weak administration. It is, however, noteworthy that custom accounts for Banff re-appeared during the strong regime of James I, and disappeared shortly before his death, and thereafter only one account was rendered in the period to 1475. In the period 1330-1475 Banff's accounts cover only twelve years, as the customs were in the hands of others; on other occasions the jurisdiction may simply have fallen out of use. The quantities in these accounts were tiny. The customable exports were generally contained in a single, presumably passing, ship.<sup>145</sup> Alternatively, wool or hides could have been taken either to the Spey ports/Inverness, or to Aberdeen, presumably by land, to be exported.

Banff's custom jurisdiction took on more importance once all salmon exports became customable, in the final third of the fifteenth century. Their accounts were rendered considerably more frequently from 1475 to 1600. Nevertheless, any attempt to analyse the area's exports from the custom accounts in this period is virtually impossible. A number of accounts are missing through the customars' negligence, and, more importantly, the jurisdiction's customs were leased for considerable periods. Between 1475 and 1600 export figures are available for only 34 years.<sup>146</sup>

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<sup>143</sup> *E.R.*, I, p. 322.

<sup>144</sup> In Aberdeen's 1416 custom account, eight sarplers of wool which had been grown in the sheriffdom of Banff were not customed, since they had paid custom to the Earl of Mar. *E.R.*, IV, p. 248.

<sup>145</sup> The wool, woollfell, and hide exports were listed as being carried in one ship in 1376, 1382, 1390, 1425, 1426, 1428, and 1429. There were two ships in 1391.

<sup>146</sup> The Exchequer noted customars failed to appear in the 1490s, 1516-18 and 1520-25. No accounts appeared between February 1558 and June 1561, and October 1589 and August 1592 for whatever reason. The customs were leased in 1512-16, 1526-37, 1544-56, 1562-73, (1582-9), and 1592-1600. There are other absences, because Banff was being included within the jurisdiction of the Northern and Spey ports between 1485-89.

### (c) Beyond the Spey

Evidence of a custom jurisdiction for the area beyond the Spey appears in the early fourteenth century. Under English rule, Sir John of Dombrethayn was appointed to keep the cockets of Elgin, Inverness, Cromarty, and Dingwall. Inverness's sheriffdom and trading precinct included Sutherland, Caithness, and Ross, and they must also have been included within its custom jurisdiction. At this time, for instance, two burgesses of Inverness were sent to Wick to arrest a vessel, laden with wool and hides, which refused to pay the king's customs.<sup>147</sup> From 1312 the customs were under Thomas Randolph's control after he was given the earldom of Moray as a free regality. The grant did not incorporate Inverness, but did include the burgh's great customs.<sup>148</sup> As a consequence, these areas do not appear in the earliest surviving customs accounts, 1328-33, though goods were exported and customed.<sup>149</sup> The regality of Moray was temporarily in the Crown's hands during John Earl of Moray's captivity in England, and, as a result, an account for the regality was rendered to the Exchequer in 1337, containing the customs for Elgin and Inverness.<sup>150</sup>

Following the death of John, Earl of Moray, in 1346, the title passed to his sister "Black Agnes of Dunbar", but the great customs reverted to the Crown.<sup>151</sup> Custom accounts, consequently, for the burghs beyond the Spey were rendered to the royal Exchequer, almost continuously in 1358-87. The Spey ports (called Elgin and Forres, or simply Elgin), and Inverness, tended to render separate accounts between 1359 and 1372,<sup>152</sup> and their accounts were thereafter rendered together up to 1387.<sup>153</sup>

<sup>147</sup> *C.D.S.*, II, p. 442. For Inverness's trading privileges throughout the sheriffdom see *R.R.S.*, II, nos. 213, 475.

<sup>148</sup> *R.R.S.*, V, no. 389; *R.M.S.*, I, appendix I, nos. 31, 33.

<sup>149</sup> Cockets of the Earl of Moray were presented at Perth 1329 and 1331 (a). These were presumably for goods customed in his northern, rather than his West coast, territories. Inverness's English imports customs were paid to the Exchequer in 1331. *E.R.*, I, pp. 354-5.

<sup>150</sup> *E.R.*, I, pp. cxlviii, 444, 446-7.

<sup>151</sup> See T. Keith, "The Trading Privileges of the Royal Burghs of Scotland", p. 457. The Earls of Moray merely received a pension from the customs. The Countess of Moray received a third of the customs of Inverness in 1365. In 1385 the Earl of Moray was granted £100 from the customs of Elgin and Forres. Evidently this payment was not to his liking, for in 1385 the Earl tried to keep the custom of his goods exported from Findhorn, but was ordered to pay the customs. *R.M.S.*, I, nos. 765, 766.

<sup>152</sup> Accounts were rendered for Forres and Elgin in 1359-61, 1362-9, and 1370; and Inverness in 1359-61, 1364-68, 1370. The custom roll for 1372 has not survived, but the Chamberlain's receipts indicate that Elgin and Inverness rendered separate accounts in that year. *E.R.*, II, pp. 350-1. Inverness's customs did not appear between August 1362 and December 1364, and their receipts went directly to the Chamberlain. *E.R.*, II, pp. 162, 170, 185.

<sup>153</sup> The accounts in 1373, 1378, and 1385 were titled as being for Inverness, Elgin (and Forres). Most accounts were simply called Inverness. The references, however, suggest the Spey ports were included. In 1380 and 1383, for instance, the accounts were titled Inverness, but goods were also shipped at Findhorn and Spey.

From 1387 until 1406 accounts for these areas disappear. The reason cannot be ascertained, but it does coincide with a period of relatively weak government and administration. The area beyond the Spey was particularly prone to open hostilities, with Inverness, Forres, and Elgin frequently being attacked and burnt.<sup>154</sup> More importantly, it could be assumed that the administrative deficiencies permitted powerful local lords to claim their “lawful rights”, or were unable to prevent them from doing so. The Earl of Moray, vainly attempting to reassert his “rights” to the Spey customs in 1385<sup>155</sup> by not paying any custom dues, may have been more successful under later administrations. In 1393 he saw it as within his prerogative to allow the burgesses of Elgin the right to ship their goods free of customs from the port of Spey.<sup>156</sup> Admittedly, these were not specifically stated as being the great customs, but in 1429 it was the Earl who refused to allow the customar to levy salmon customs on the men of Moray.<sup>157</sup>

Accounts for Inverness re-appear from 1406-18, after Albany had exerted some authority in Ross and was confident enough to style himself the “Lord of the ward of Ross”.<sup>158</sup> It is not known whether these accounts include the other Spey ports. Interestingly, a new cocket had to be made for Inverness prior to this re-appearance, indicating the jurisdiction was either re-opened, or perhaps under different control. Again, from 1418 until James I’s return from captivity, there are no accounts for any areas beyond the Spey. It can only be speculated that the virtual absence of accounts between 1387 and 1424 was due to a combination of administrative weaknesses and unstable conditions. It should be stressed that the absences were not a result of exports dropping to zero, though they were undoubtedly falling.

The return of James I from captivity saw a strengthening and re-organisation of the custom system. Those claiming pensions from the customs had to prove their rights, while sheriffs were to ascertain the lands, possessions, and annual rents previously pertaining to the

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<sup>154</sup> The Wolf of Badenoch burnt Forres and Elgin in 1390, while the forces of the Lord of the Isles regularly attacked Inverness in the early years of the fifteenth century. M. Macintosh, *A History of Inverness* (Inverness, 1939), pp. 59-61; R. Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, 1978), pp. 204-7; *E.R.*, III, pp. 516, 634.

<sup>155</sup> *E.R.*, III, p. 112.

<sup>156</sup> A. Turner Simpson, *Historic Elgin: The Archaeological Implications of Development* (Glasgow: Scottish Burgh Survey, 1982), p. 19.

<sup>157</sup> *E.R.*, IV, 480-1.

<sup>158</sup> R. Nicholson, *Scotland: The Later Middle Ages*, p. 233. There were no accounts in 1407-8 because the customars of Inverness failed to attend the Exchequers. *E.R.*, IV, p. 40.

Crown. Not surprisingly, the custom accounts for Elgin and Forres, and Inverness re-appear at this time.

Accounts for Inverness, excluding the Earldom of Moray, were consistently rendered from 1424 to the closing decades of the century. Theoretically, the jurisdiction would have extended throughout the sheriffdom of Inverness, but in practice these extensive boundaries may have been limited by the Lord of the Isles' activities.<sup>159</sup>

Elgin and Forres's first account, rendered in 1429, contained only salmon exported by foreigners. The Earl of Moray refused to allow salmon customs to be collected from the men of Moray. The absence of wool, hides, fells, and cloth, from the account was either because the customs were paid to Earl of Moray or else because their export was zero. They were, however, included in the 1431 and 1435 accounts. Following the death of James I, the accounts disappear, as the customs, presumably, reverted to the Earl of Moray. In the mid-1450s, following the Crown's annexation of the property of the Douglasses, who had taken possession of the Earldom in 1451, the customs of Elgin and Forres were again paid to the Crown. Unusually, the customs from Elgin and Forres were paid directly to the Comptroller between 1456-59.<sup>160</sup> This may have continued, or else the jurisdiction fell into disuse after James II's death in 1460, as they did not re-appear in the custom rolls until the late 1460s.

Accounts for Elgin and Forres were rendered by their custumar James Douglas in March 1467-August 1469, and 1473-July 1478. Douglas came to hold a similar position at Inverness between October 1475 and July 1477. It is not surprising, therefore, that in 1479 he rendered a joint account for all three burghs, and apart from 1480, this was the common practice for the next forty years. Various different titles were given to this amalgamation of jurisdictions and there may have been a series of deputy offices.<sup>161</sup> It is clear, however, that the accounts were for the whole area from the Spey to Caithness, and briefly, between 1485-89, Banff (Table 3-2). Theoretically, Ross and Caithness had always been within Inverness's custom jurisdiction, though in practice they may have been included after the earldom of

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<sup>159</sup> In 1429, for instance, hides which were customed at Wick in Caithness were exported from Aberdeen. This was within Inverness's jurisdiction, but the customars of Wick were not the same as Inverness's customars. Wick could have been either independent or a sub-office of Inverness. If it was independent, the area did not render any accounts to the Exchequer. *E.R.*, IV, p. 479.

<sup>160</sup> *E.R.*, VI, pp. 218, 485, 522.

<sup>161</sup> This would explain why there are surviving references to separate cockets being issued by Tain, Elgin and Forres, Findhorn, and Dingwall. *E.R.*, XI, p. 374; XII, pp. 87, 265, 378; NAS, E.71/1/1; 29/2-3.



Ross was resigned to the Crown in 1476.<sup>162</sup> The devastation caused by the Lord of the Isles' subsequent attempts to regain the earldom of Ross in the early 1490s and early years of 1500 may explain the absence of accounts for the area beyond the Spey in these years.<sup>163</sup>

**Table 3-2: Descriptions of Northern Custom Jurisdictions, 1481-1513**

<i>Date</i>	<i>Jurisdiction title</i>	<i>Custumar</i>
?- Jul 1481	Caithness, Strathnaver, and Sutherland	Gilbert Keith
-		
Jul 1485-Aug 1486	Inverness, Elgin, Forres, Banff, Nairn, and all places north of the water of Dovert	James Douglas
1487-89	Inverness, Elgin, Forres, Banff, and Nairn [Nairn not listed in 1489, but this a clerical error since it was still the same lease.]	James Douglas
-		
Mar 1495-Nov 1500	Inverness, Elgin and Forres, and the ports of Ross	James Dunbar
Nov 1500-Oct 1501	Inverness, Elgin and Forres [In 1500 James Dunbar was listed as custumar of the north parts of the realm beyond the Spey.]	James Dunbar
-		
Feb 1505-Jul 1505	Inverness, Elgin, Forres and Dingwall [In margin Moray, Ross, and Inverness]	Robert Rankyn
Jul 1505-Jul 1508	Moray, Ross and Caithness [Atone's appointment described as the lease of the customs of the burghs of Inverness, Elgin, Forres, Nairn, Tain, and Dingwall, and all the other burghs and bounds from Banff to Orkney.]	Andrew Atone
Jul 1508-Jul 1513	Northern parts beyond the Spey	Andrew Bishop Moray

*Source: E.R.*, IX, pp. 152, 445-6, 549; X, pp. 64, 145; XI, p. 48, 226-7, 261; XII, p. 93, 369, 474, 593; XIII, pp. 91, 233, 368, 490, 573-4; *R.S.S.*, I, nos. 460, 1129, 1630.

There are no enrolled accounts for the area between July 1513 and August 1517. In January 1514, Andrew, Bishop of Caithness and Treasurer, and Alexander, earl of Huntly, were commissioned to set leases for the customs of Inverness, Dingwall, Elgin, Forres, Nairn, Banff and, other royal burghs *extra montes* owing customs; and to remove the custumars of the said burghs and appoint others. David Thomesone, burgess of Elgin, had paid the customs for Spey and Findhorn within the parts of Moray, for 1513 and 1514, directly to the Bishop of Caithness. The other custumars, however, had not been so diligent. Moris McGillecallum, the custumar in Ross, failed to account to the Exchequer for the salmon he customed.<sup>164</sup> From 1518, the year after he was cited for non-attendance, the northern burghs re-appeared in the custom accounts.

<sup>162</sup> R. Nicholson, *Scotland: The Later Middle Ages*, p. 480.

<sup>163</sup> *Ibidem*, pp. 541-2, 545; M. Macintosh, *A History of Inverness*, pp. 70-2. For claims of poverty and destruction from raids see *E.R.*, X, pp. lvii-lviii.

<sup>164</sup> *A.D.C.P.*, pp. 73-5.

From 1518 to 1574, accounts were virtually always rendered for the custom jurisdiction titled Inverness, Ross, Sutherland, and Caithness, and simply Inverness in 1574-79. Theoretically, the jurisdiction covered the whole of the sheriffdom of Inverness.<sup>165</sup> In reality, the North West fishing grounds may only have been added as they became increasingly exploited, and as the Lord of the Isles' influence receded. Cockets for these fishing grounds were being issued from the 1560s.<sup>166</sup> These locations were presumably acting as deputy offices, for in 1573, the Inverness *et al.* custom lease specifically includes Loch Broom, Loch Carron, the lochs of Lewis, and all other lochs in the North Isles, and others within the sheriffdom of Inverness.<sup>167</sup> A decade later, when the whole customs were leased by the royal burghs, the Isles and Lochs were specifically not included in Inverness's jurisdiction. Inverness's jurisdiction, at this time, was described as lying between Caithness and Moray,<sup>168</sup> which suggests that by this stage there were three jurisdictions- Caithness, Inverness, and to the east the of latter, Moray. Certainly in 1587 the jurisdiction of Caithness, Sutherland, and Strathnaver was discharged because it was not profitable. Any exports were to be customed in the burghs further south.<sup>169</sup> It may well have been in operation again in the 1590s, as goods customed at Thurso were sent to Edinburgh to be exported. This is speculative, and, in effect, of little importance, since after 1579 there are no enrolled accounts for Inverness, and there are none at all for this "new" jurisdiction at Caithness.<sup>170</sup>

A reference in 1584 suggests Moray was an independent custom jurisdiction, and in the 1590s it was certainly issuing its own cockets.<sup>171</sup> Its independence, presumably, pre-dates this. The sheriffdom of Nairn was included in the Inverness, Ross, Caithness, and Sutherland jurisdiction,<sup>172</sup> but it is debatable if this applied to all the Spey ports. Cockets issued after

<sup>165</sup> Leases variously stated the jurisdiction was for the bounds of Inverness, Ross, Sutherland, and Caithness; the bounds of the sheriffdom of Inverness; and within the bounds of Ross, Caithness, and Sutherland, and other places within the sheriffdom of Inverness and Nairn, in 1536, 1544, and 1545 respectively. *R.S.S.*, II, no. 1919; III, nos. 672, 1295.

<sup>166</sup> For cockets of Loch Broom see NAS, E.71/32/5-6; 12/7-8; 1/9. Loch Carron E.71/32/7-8. For goods from these areas, which were not actually customed there, see Pittenweem Group E.71/6/5, 8-9.

<sup>167</sup> *R.S.S.*, VI, no. 1800.

<sup>168</sup> *R.C.R.B.*, I, p. 190.

<sup>169</sup> *R.C.R.B.*, I, pp. 262-3.

<sup>170</sup> For the Convention of Royal Burghs calling the Inverness customar to appear see *R.C.R.B.*, I, pp. 256, 265, 289, 330; for absence from Exchequer *E.R.*, XXIII, p. 512; and for cockets NAS, E.71/32/9-13. Thurso would have been a better situation for customing and administering goods passing from the Western Isles.

<sup>171</sup> *R.C.R.B.*, I, p. 190. NAS, E.71/32/9-13.

<sup>172</sup> *R.S.S.*, III, no. 1295.

1513 certainly make a clear distinction between the Spey and the more northerly ports.<sup>173</sup> Likewise, a clear distinction was drawn between the customars of the Spey ports and those of Inverness, when the Exchequer called them to account for their intromissions in the 1570s and 1590s.<sup>174</sup> More significantly, in 1556 and 1558-59, custom accounts rendered to the Exchequer were described as being for Moray and the ports of the Spey, or else simply Moray. Admittedly, in 1556 Andrew Keir was the customar for both this and the Inverness jurisdiction. This cannot have been a split in the jurisdiction since Inverness's custom lease was not altered.<sup>175</sup> The customs of Moray may have been granted by the Crown, which would explain their virtual absence from the custom rolls. The Earl of Moray, for instance, was given the burgh fermes and customs of Elgin and Forres in 1549, as well as those of Spey and Findhorn in 1556.<sup>176</sup> This could, of course, refer simply to the small or petty customs, and the grant is sandwiched between Moray's customars' appearances at the Exchequer. Certainly in the 1570s and 1590s the Exchequer expected the customars of this area to appear, although they did not ever do so.

It is impossible to be certain about the exact area of the custom jurisdictions of the northern burghs during the sixteenth century. Did the jurisdiction described as Inverness, Ross, Sutherland, and Caithness, include the Spey ports? Were the Western Isles and Lochs always included, either theoretically or in practice? And did Caithness become a separate jurisdiction at the close of the century? Even if these questions could be adequately answered, our knowledge of the area's exports would still be extremely limited, since, throughout the sixteenth century, customs were almost always leased. Any quantitative study of the area's exports would be limited to examining the goods shipped through other ports, a scarcely reliable approach.

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<sup>173</sup> The titles used varied, but no single cocket book uses more than one title for the Spey ports, whereas various descriptions were used for the more northerly ports. Titles used were Elgin (1528, Dun. 1567); Elgin and Forres (ca. 1540, Dun. 1576); Findhorn (1559, 1563, 1565, 1566, 1567); Spey (Dun. 1555); Spey, Elgin, Forres, and Findhorn (1566-67); Moray (1581, 1590-91, 1593, 1596). Entries were at Edinburgh and Dundee (Dun.) NAS, E.71/29/4; 32/1-13; 12/5, 7-8.

<sup>174</sup> *E.R.*, XX, pp. 503-4; XXIII, p. 512.

<sup>175</sup> When the Moray jurisdiction appeared, Inverness's custom lease was actually increased. When it disappeared from the custom rolls, there was no change in the size of Inverness's rent.

<sup>176</sup> *R.S.S.*, IV, no. 229; V, no. 2870.

## VIII. WEST COAST

The West coast export trades were somewhat different from those on the East coast. The Scottish customs administration had initially been developed with wool, hide, and woolfell exports primarily in mind. Exports of these from the West coast were small, and in the early fourteenth century, corn and woollen cloth exports may have been of more importance.<sup>177</sup> Nevertheless, the area was incorporated within the great custom system. Until the 1420s accounts were only sporadically rendered, and contained only minuscule quantities. Ayr's exports between 1372-77 were a brief exception, as relatively high levels of wool, woolfells, and hides were customed; virtually all appear to have been taken to the East coast, either to Blackness or Leith, to be exported.

The Scottish customs administration underwent several changes following James I's return from captivity. From this date, the Clyde ports, and to a lesser extent the Solway Firth ports, made regular appearances at the Exchequer. This was, presumably, due to the customs being more rigorously enforced, and, more importantly, custom duties being levied on a new range of goods more compatible with the area's exports, especially those duties on woollen cloth and fish. Export volumes, however, as opposed to custom receipts, may have remained at a similar magnitude. The custom accounts suggest only two or three ships annually continued to visit.<sup>178</sup> This shipping may have been a tramping trade rather than formally chartered operations, and there are occasionally references bemoaning the lack of ships arriving. Nor does there seem to have been a dominant port or ports in the area. This is in stark contrast to the East coast, where numerous ships arrived and departed, and, even in the fifteenth century, most concentrated their activity at Edinburgh, Dundee, and Aberdeen. When the West coast exports expanded in the sixteenth century, especially in herring and cloth at the Clyde ports, the trade may have taken on a more formal character.

### (a) Clyde Ports

There are accounts for Ayr and Dumbarton in the first surviving series of custom rolls, 1328-33. The quantities customed were minuscule and one statement even suggests it was

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<sup>177</sup> D. Murray, *Early Burgh Organisation in Scotland*. Vol. II, *Rutherglen, Lanark, Prestwick, Newton-upon-Ayr, Ayr* (Glasgow, 1932), p. 534.

<sup>178</sup> The custom accounts state the customed goods were in a single ship at Ayr 1417, 1428, 1434, 1476; Irvine 1448, 1464, 1476-77; Dumbarton 1435, 1451, 1468; Kirkcudbright 1496-97; Wigtown 1486, 1497-8. Two ships Ayr 1468; Kirkcudbright 1460, 1501; Wigtown 1480, 1489, 1501. "Several" ships Ayr 1469, 1477, 1479; Dumbarton 1467; Kirkcudbright 1434, 1437, 1475, 1479. Others: three ships Ayr 1426; seven ships "Lowes" 1491; five ships Kirkcudbright 1435.



Dumbarton's first account for ten years.<sup>179</sup> Dumbarton did not re-appear until James I's return from captivity. Presumably the custom jurisdiction fell into disuse because the receipts were so small. In the same period, Ayr's accounts appeared only sporadically. An account was rendered in 1359, but from then to 1365, there are no accounts, and the customars were noted as not having appeared.<sup>180</sup> There are accounts for Ayr between June 1365 and February 1377, initially containing only small quantities of goods, before booming in 1372-77. An annual average of 30 sacks of wool, 150 dakers of hides, and 750 woolfells were exported in 1372-77, unprecedented for Ayr though unimpressive by Scottish standards. These goods may have been customed at Ayr though most were sent to Leith, or, more importantly, Linlithgow, to be exported, not a new procedure, though the quantities involved certainly were.<sup>181</sup> The boom did not last. Ayr's custom accounts disappear from 1377 to 1408, and it seems that exports via East coast ports virtually vanished.<sup>182</sup> The custom jurisdiction remained operational; in 1403, Linlithgow's account included 10 sacks of wool and 4 lasts of hides from Ayr and the Exchequer received Ayr's accounts between 1408-17. The whole period was covered in three accounts, and the quantities exported were of no great significance. They then disappeared again until 1424. It was noted that all the customable exports between 1409-11 left in a single ship. Perhaps because the customs were insignificant and irregular, so were the customar's appearances at the Exchequer. Alternatively, the customs may have been under the ownership of someone else at this time. What is certain is that before James I's return from captivity the burgh's customs were small, with the only exception a temporary boom in the 1370s when they were exporting via the East coast. In the second decade of the fifteenth century, trade was reliant on one or two ships arriving per year, and this small volume of shipping may have continued. From James's return, however, the range of customable goods expanded, and the customs jurisdictions became more viable and active. It is more debatable if mercantile activity did likewise.

Following James I's return, both Dumbarton and Ayr consistently rendered accounts to the Exchequer. A separate custom jurisdiction was also created at Irvine from the 1440s,

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<sup>179</sup> *E.R.*, I, p. 304.

<sup>180</sup> *E.R.*, II, p. 170.

<sup>181</sup> Goods from Ayr had been exported from Linlithgow in 1341 and 1343 (Linlithgow 1341, 1343). For evidence of Ayr's exports from the East coast see Linlithgow's accounts in 1373, 1376, 1376 (b), 1377; Edinburgh's in 1375, 1376 (b); and Ayr's accounts in 1373, 1374, 1376, 1377.

<sup>182</sup> Linlithgow's accounts in 1381-82, 1386, 1389, 1391, 1393-94, and Edinburgh's in 1389-90, list cockets from other burghs but they do not mention any received from Ayr. Linlithgow's 1403 custom account includes a small quantity of wool and hides customed at Ayr.

though occasionally Irvine was included in the accounts of Ayr or Dumbarton.<sup>183</sup> By and large, from the 1440s until the end of the sixteenth century, these three jurisdictions consistently rendered their accounts to the Exchequer.<sup>184</sup> In addition, there was an ecclesiastic custom jurisdiction at Glasgow, belonging to the bishop, from at least 1490, which customised the goods belonging to the citizens of the city and barony of Glasgow. The bishops of Glasgow appear to have continued to enjoy this right until 1581, when the great and small customs were transferred to the University there.<sup>185</sup> The exact scale of Glasgow's exports cannot be determined, but it was not particularly large even within the context of the Clyde ports.<sup>186</sup>

William I's charter of erection to Ayr listed five areas where tolls and customs were to be collected, suggesting the burgh's boundaries extended throughout Cunningham, Kyle, and Carrick.<sup>187</sup> This can be assumed to be Ayr's custom jurisdiction until the separate jurisdiction for Irvine was established in the early 1440s (Map 3-10). Ayr's custom account in 1414, for instance, contains a sack of wool which was shipped at Irvine, and over 15 sacks of wool shipped at Dunure, a small seaport village six miles to the south west of Ayr. By the fourteenth century Irvine had encroached into Ayr's burgh boundaries, enjoying the sole trading rights in Cunningham and Largs, rights which were explicitly stated and confirmed in 1372.<sup>188</sup> These became Irvine's jurisdiction limits once it was established in the 1440s.

<sup>183</sup> Accounts for Ayr and Irvine were rendered in 1495 and 1506, and for Dumbarton and Irvine in 1482, 1499, 1501. There are joint accounts for Ayr and Irvine, but with separate sections for their respective goods, in 1483, 1485-94, 1504, 1506-9, and likewise for Dumbarton and Irvine in 1500. In 1482 there was also an account covering Dumbarton, "Lowes", Ayr, and Irvine.

<sup>184</sup> A number of accounts for Dumbarton are missing. These tend to coincide with disorder at Dumbarton Castle, whose keepers were often appointed as the burgh's customars. No accounts were rendered between 1435-40 (with the claim that no customs occurred); nor in July 1487 and September 1490; July 1542 and August 1546; and August 1563 and July 1571. The castle was under siege in these periods. I.M.M. MacPhail, *Dumbarton Castle* (Edinburgh, 1979), pp. 29-30, 33-4, 63-71, 85-87.

<sup>185</sup> *Charters and Other Documents Relating to the City of Glasgow, A.D. 1175-1649*, edited by J.D. Marwick (Edinburgh: Scottish Burgh Records Society, vol. 14. 1894), part II, nos. 28, 72-3. In 1547 the Queen appointed a customar for Glasgow. The bishops, however, appear to have continued to enjoy the fruits. The customs were not paid to the Crown at this or any other time. *R.S.S.*, III, no. 2481.

<sup>186</sup> In 1561 Dumbarton's custom lease was mistakenly calculated to include the city of Glasgow and its boundaries. In the audit the leaseholder was excused from paying just over half the original lease since he had not actually collected Glasgow's customs. The customs for Glasgow and Dumbarton, therefore, were roughly on a par. *E.R.*, XIX, p. 170.

<sup>187</sup> *R.R.S.*, II, no. 462. For identification of the place names E. Ewan, "Burgh Trading Liberties: Ayr and Irvine" in P.G.B. McNeill and H.L. MacQueen (eds.), *Atlas of Scottish History to 1707* (Edinburgh, 1996), p. 234. For a more detailed discussion of the charter G.S. Pryde, "Charter of Foundation" in A. Dunlop (ed.), *The Royal Burgh of Ayr: Seven Hundred and Fifty Years of History* (Edinburgh, 1953).

<sup>188</sup> In 1322 Robert I confirmed Alexander II's grant which exempted Irvine from paying tolls in Ayr. *R.R.S.*, V, no. 210. In 1372, following a dispute between the two burghs over their boundaries, it was found that Irvine had possessed, for the last thirty to sixty years, the liberty to freely trade within the

Thereafter, to the end of the sixteenth century, the custom jurisdictions for Ayr and Irvine covered the same areas as their respective trading precincts. In 1532, for example, Irvine's custom lease was for its burgh, and its bounds and freedom.<sup>189</sup>

Dumbarton's custom jurisdiction extended throughout the burgh's bounds and freedom.<sup>190</sup> In 1609 the burgh's trade privileges were confirmed as being within the "fourteen davochs of land lying within Lennox" next to the burgh and all the water eastward from the headlands of Loch Fyne to the water of Leven. The same charter later stated that the burgh possessed all the petty customs and other duties within these bounds to the water of Kelvin.<sup>191</sup> The burgh's territory extended to Loch Fyne, and the area was certainly incorporated in Dumbarton's custom accounts. Though initially, in 1480-81, herring customed at Loch Fyne was recorded in Irvine's accounts, in the following year there was only a single custom account for Dumbarton, Ayr, Irvine, and the "Lowis".<sup>192</sup> Thereafter "Lowis", or the Western Lochs, became firmly attached to the Dumbarton jurisdiction, and up to 1528 the accounts were always titled "Dumbarton and Lowis".<sup>193</sup> The fact that the term "Dumbarton and the Lowis" continued to be used may reflect that "Lowis" was a separate, or deputy custom office, and the area was not entirely within the burgh's trading jurisdiction (Map 3-10).<sup>194</sup> It should be remembered, however, that fish from the Western Lochs taken to Irvine or Ayr, to be packed and exported, could appear in these jurisdictions' custom accounts.

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Barony of Cunningham and Largs. The charter went on to confer royal burgh status on Irvine and confirm its sole trading rights within these areas. *Muniments of the Royal Burgh of Irvine*, edited by J.S. Dobie (Edinburgh: Ayrshire and Galloway Archaeological Association, 2 vols., 1890-1), I, no. 4.

<sup>189</sup> R.S.S., II, no. 1391. See also R.S.S., II, no. 1760; III, nos. 370, 2021, 2466. For a similar example at Ayr, R.S.S., III, no. 1092.

<sup>190</sup> R.S.S., III, no. 1873.

<sup>191</sup> J. Irvine, *The Book of Dumbartonshire* (Edinburgh, 2 vols., 1879), II, p. 20.

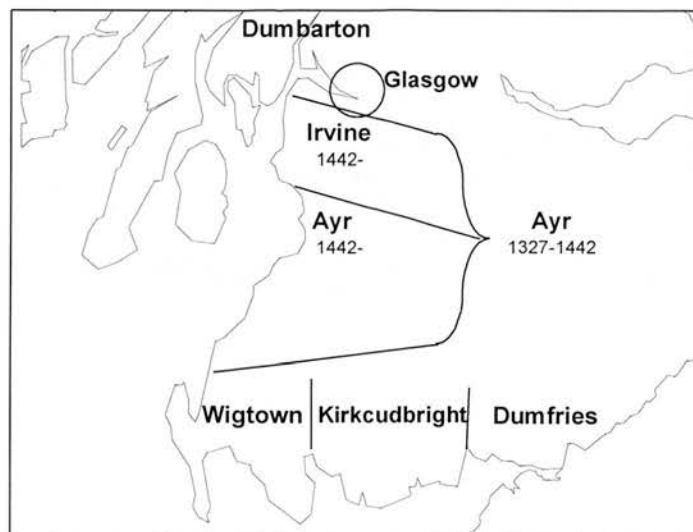
<sup>192</sup> Tarbert was a custom jurisdiction towards the end of Robert I's reign.

<sup>193</sup> The name "Lowis" can cause confusion. A number of lochs in Scotland were called Lowis, and it has even been mistaken for Lewis. Entries in 1505 and 1509, however, leave little doubt. The accounts are titled "Dumbarton and Lowis", while the customers are described as the customers for "Dumbarton and the western lochs". *E.R.*, XII, pp. 370-1; XIII, pp. 226-7.

<sup>194</sup> In a number of the accounts herring are specifically described as being customed at the western lochs, or "Lowis" (1486, 1491, 1501, 1505, 1509). In 1503 the Lords of Council charged the customer of Dumbarton and Lowis with an extra 11 lasts of herring customed "in the lawis," in the ship called the *Martin*, more than the 40 lasts she was charged with originally. *Acts of the Lords of Council, 1501-1503*, edited by A.B. Calderwood (Edinburgh, 1993), p. 227. Other goods, such as hides or cloth, are either stated as being customed at Dumbarton or are unspecified. This suggests there were two customing points. It was, after all, a large hinterland and the customer occasionally received additional payments for his labours in collecting the customs. Twice the additional payments were for collecting customs in *insularum*, once in Argyll and *insularum*, and once simply in Argyll. The other accounts do not specify the exact location, but the payments were of the same magnitude and so can be assumed to cover the same areas.

After 1528 the term “Lowis” was no longer used in the Dumbarton accounts, though the jurisdiction is likely to have covered the same area. There was, after all, no dramatic change in the herring custom trends coinciding with the change in the jurisdiction’s name. In 1554 Archibald, Earl of Argyle was created the custumar of Inverary, with power to custom all manner of staple goods.<sup>195</sup> Theoretically, this represents an encroachment into the custom jurisdiction enjoyed by the customars of Dumbarton, but in reality, even if this were the case, the impact would have been small. Argyle’s rent for the customs was set at a mere £2 per year, and in fact there are no references to the Exchequer receiving these minimal sums. It is conceivable that Dumbarton retained the jurisdiction for customing the burgh’s traditional rural hinterland, and the herring from the Western Lochs, throughout the sixteenth century.

**Map 3-10: West Coast Custom Jurisdictions, 1328-1600**



#### (b) Solway Ports

During his rule of Scotland, Edward I established his own custom jurisdictions with their own cocket seals. It was ordered that no one was to export wool or hides except at those places where there were cocket seals or, interestingly, Kirkcudbright. Before goods could be exported from Kirkcudbright the cocket seal was to be sent there by John de Warenne, Earl of Surrey, and Edward’s Council in Scotland.<sup>196</sup> The reason for Kirkcudbright’s being singled out for special treatment is not recorded; perhaps the wool and hides exports were not in sufficient quantities to warrant a separate custom jurisdiction. It is not known if cocket

<sup>195</sup> *R.S.S.*, IV, no. 2827.

<sup>196</sup> J. Robison, *Kirkcudbright: its Mote, Castle, Monastery, and Parish Churches* (Dumfries, 1926), pp. 152-3. For the making of the cockets *C.D.S.*, II, p. 441.



seals were made for Wigtown or Dumfries at this time, but both jurisdictions were mentioned in the first surviving series of Scottish custom accounts. Wigtown rendered two accounts in 1331, for minuscule quantities, while Dumfries's custumar was noted as not having rendered an account for a long period.<sup>197</sup> Additionally, the Earl of Moray was granted Lochmaben, with the right, which he exercised, to issue cockets.<sup>198</sup> There are no accounts or references to the Solway ports at the Exchequer for a further century.

In 1341 Malcolm Fleming was granted the earldom of Wigtown in regality. It included the burgh of Wigtown and all the land from the Cree to the old boundary of the earldom of Carrick. In 1372 the earldom passed to Archibald Douglas and remained in Douglas hands until the middle of the fifteenth century. The customs were thus not the Crown's property, and in 1451 the right of the Douglasses to the customs of Wigtown was confirmed. In 1369 Archibald Douglas had also been granted eastern Galloway, between the Cree and the Nith, in free barony and also, presumably, the burgh of Kirkcudbright.<sup>199</sup> There are no custom accounts for Kirkcudbright until the middle of the fifteenth century, except in 1434 and 1435, when James I may have imposed the Crown's right to these customs prior to his death. They are likely to have quickly reverted to the Douglasses after the king's death, in 1437.<sup>200</sup> That the customs of Wigtown and Kirkcudbright were not in the Crown's hands explains the absence of custom accounts until the middle of the fifteenth century, and the fact that they were possessed by the Douglasses also explains why they appear following the forfeiture of Douglas property in 1455.

New charters were granted to the burghs of Kirkcudbright and Wigtown following the forfeiture of Douglas property in 1455. Kirkcudbright's charter specifically stated that the great customs belonged to the Crown,<sup>201</sup> and custom accounts for Kirkcudbright immediately began to be rendered and continued to be until 1582. Up to 1469 they may also

<sup>197</sup> *E.R.*, I, p. 304. Dumfries's burgh ferm account in 1331 also mentions the custumar had not appeared. *E.R.*, I, p. 352.

<sup>198</sup> For cockets from Lochmaben see the custom accounts for Berwick in 1327 and 1329 and Edinburgh in 1329.

<sup>199</sup> *R.R.S.*, VI, nos. 39, 451. *Wigtownshire Charters*, edited by R.C. Reid (Edinburgh: Scottish History Society, Third Series, vol. 51, 1960), p. xlii. G.S. Pryde, *The Burghs of Scotland*, nos. 38, 43, 127. A.L. Murray, "The Custom Accounts of Kirkcudbright, Wigtown, and Dumfries, 1434-1560", *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, Third Series, XL (1963), pp. 147-8. R. Nicholson, *Scotland: The Later Middle Ages*, p. 203. *R.M.S.*, II, no. 503. *A.P.S.*, II, p. 72a.

<sup>200</sup> The first Kirkcudbright account, rendered in 1434, mentions arrears from a previous account. The custom rolls for 1432, 1433, and 1436 have not survived. Accounts for Kirkcudbright may have been included in these rolls.

<sup>201</sup> J. Robison, *Kirkcudbright*, pp. 154-5; G.S. Pryde, *The Burghs of Scotland*, no. 38.

have included Wigtown, for Kirkcudbright's 1463 account contains goods shipped from the Isle of Whithorn.<sup>202</sup> Thereafter they were for Kirkcudbright only unless otherwise stated, a jurisdiction stretching from the Cree to the Nith (Map 3-10).

Separate accounts for Wigtown appeared from August 1469. Thereafter, until the burgh stopped rendering accounts in the middle of the sixteenth century, there were separate jurisdictions at Wigtown and Kirkcudbright. Wigtown's custom jurisdiction probably coincided with the burgh's trading boundaries, and so stretched from the Irish Sea to the Cree. Certainly in 1503, the customar was appointed for Wigtown and Innermessan and all the places within the sheriffdom of Wigtown (Map 3-10).<sup>203</sup> Whithorn, presumably, was included in Wigtown's custom jurisdiction. In 1492, however, the prior and convent of Whithorn were exempted from customs on all their skins, hides, fish, cloth, wool, and other goods which were transported in their own ship,<sup>204</sup> a grant which appears to have been exceeded. Wigtown claimed that from around 1505 Whithorn had been diverting ships to the Isle of Whithorn at great hurt to the king's customs, and, not surprisingly, to their own privileges. The dispute was no doubt aggravated by Whithorn's erection as a free burgh in 1511. There followed a long running dispute between the two burghs concerning their respective privileges. Claims and counter claims were frequently made, and both burghs attempted to further their case by stating the other was defrauding the Crown of customs revenue. There may have been a certain amount of fraud, but the claims are certainly exaggerated. In any case, from March 1510, Whithorn and Wigtown were definitely customed together.<sup>205</sup>

The accounts clearly distinguish the separate custom jurisdictions at Kirkcudbright and Wigtown from 1469, and after 1510 the jurisdictions are titled "Whithorn and Wigtown" and "Kirkcudbright". The Kirkcudbright and Wigtown/Whithorn jurisdictions were in fact closely linked. They were often staffed by the same officials, and joint custom accounts were

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<sup>202</sup> The customs had been levied by the prior of Whithorn, but he was ultimately accountable to the royal Exchequer for them.

<sup>203</sup> *R.S.S.*, I, no. 926. He does not seem to have rendered any accounts

<sup>204</sup> For greater detail see *Wigtownshire Charters*, pp. 137-9 and A.L. Murray, "The Custom Accounts of Kirkcudbright, Wigtown, and Dumfries", pp. 157-160.

<sup>205</sup> From March to August 1510 Simon McCristin and Cuthbert Cunningham were the customars for Wigtown and Whithorn. From this date to August 1511, Simon McCristin rendered a separate account for Wigtown, while Cunningham and John McKilvane did the same for Whithorn. Thereafter all the custom accounts are titled Wigtown and Whithorn. In 1535 customs were leased for "the burghs of Wigtown and Whithorn and all the bounds and freedoms theirow, and all other bounds between Glennop and the water of Cree and the west sea coast of the ocean sea and Loch Ryan and the Rhins of Galloway". *R.S.S.*, II, no. 1758.

common until the practice ceased, as it did in the Clyde ports, just before 1520.<sup>206</sup> In the second half of the sixteenth century accounts rarely appeared. The only account rendered was for Kirkcudbright, and it covered the entire period between the September 1555 and August 1582; it contained minuscule quantities. As both burghs' exports declined, the customars simply failed to appear. The Exchequer continually, and unsuccessfully, demanded that they attend.<sup>207</sup>

In 1331 the Exchequer noted Dumfries's customar had not rendered an account for a considerable period.<sup>208</sup> The Exchequer would have to wait until 1464 before receiving an account from the burgh, and the customar claimed that prior to this no great customs had arisen at the burgh. In addition to the lack of customs it seems likely that the Douglasses' influence extended to the burgh and its customs. The burgh's first custom account in 1464 contained sizeable quantities of wool and cloth, which were exported in three ships. The merchants, who were from Brittany, had to pay only half the custom duties in order to encourage others of their sort. In the following three years, only one ship came, and it carried only a small amount of wool and cloth. The accounts thereafter disappeared again until another brief appearance between 1505-7. It is likely that the sporadic appearances are due to the limited export of customable goods from the burgh. Dumfries re-appeared between August 1555 and November 1560, but the customar was specifically described as the customar of the English goods imported within the West Marches. The development of the land trade, as A.L. Murray suggests, may have been the result of more peaceful relations with England and the division of the Debatable Land.<sup>209</sup> The custom receipts indicate that imports from England were small, and declining, in this short period.<sup>210</sup>

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<sup>206</sup> Joint accounts for Kirkcudbright and Wigtown were rendered in 1477, 1483, 1494, 1500, 1506-9; and for Kirkcudbright, Wigtown and Whithorn in 1512-13, 1518. There were joint accounts for Kirkcudbright and Wigtown in 1471, 1478, 1486-87, 1495-1503, 1511, which distinguished where the goods were customed. There were similar accounts for Kirkcudbright and Whithorn in 1463 and 1511. The customs of Wigtown and Kirkcudbright were granted to James III's Queen in 1473. *R.M.S.*, II, no. 1143, 1365.

<sup>207</sup> Calls for the customars of Kirkcudbright and Wigtown to appear were made in 1562, 1568, 1576, 1577, 1579, and 1599. *E.R.*, XIX, p. 496; XX, pp. 389, 503-4, 518-9, 547-8; XXIII, p. 512.

<sup>208</sup> *E.R.*, I, p. 304.

<sup>209</sup> A.L. Murray, "The Custom Accounts of Kirkcudbright, Wigtown, and Dumfries", p. 162.

<sup>210</sup> Initially the customs were leased for £26 13s. 4d., the following year for £20, and in the remaining three year period only £8 11s. 4d. was paid to the Exchequer. The entry would seem to be actual receipts rather than a tack.

In 1578 the Exchequer noted that customars for the burgh had not rendered any accounts since 1560. The customars had simply failed to appear. At some time between 1567 and 1576, George Maxwell, burgess of Dumfries, had leased the customs of “all maner of stapill guidis and customabill mercheandice passand furth of this realme be land or se furth of Dumfries and boundis thiroff and of all Inglis guidis cummand furth of Ingland to Scotland at the West Marchis of the samin within the boundis of the wardandrie”.<sup>211</sup> Evidently, the customars of Kirkcudbright and Edinburgh did not recognise his right, since they extracted additional duties on goods customed at Dumfries. Murray suggests the dispute with Kirkcudbright may have arisen due to a dispute over customs jurisdictions.<sup>212</sup> When the *Grace of God* discharged its cargo three miles west of the water of Urr, Kirkcudbright’s customar, Thomas Makelellane, claimed the right to levy customs on it. This was disputed by his opposite number in Dumfries, who complained to the Lords of Council in 1566 that they held the right of “coiffing, laiding and coqueting” all boats and ships arriving on the coast line between the burgh and the Abbey Burnfoot at Dundrennan. Thomas Makelellane, however, responded that his customs lease covered Kirkcudbright and all its bounds, and the parts between the water of Nith and the Water of Cree “as had been used in times past”.<sup>213</sup>

In May 1577, Archibald Douglas was appointed customar for Dumfries and Nithsdale and all the bounds and freedoms, and customar of English goods imported via the Middle and West marches.<sup>214</sup> Douglas, unlike his predecessors, dutifully rendered his accounts to the Exchequer, 1577-82. They included a diverse range of goods which are unlikely to have been made in Scotland, such as tar, vinegar, prunes, ginger and pepper, soap, woad, alum, oil, belts, combs, paper, flax, and bonnets. It has been suggested they were imports from England, but each account also contained a separate section for English imports. It is possible that the English imports sections, which merely give the total monetary custom, was for small and miscellaneous wares which did not warrant separate entries, while the ginger, prunes etc. may have been the more important imports.

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<sup>211</sup> A.L. Murray, “The Custom Accounts of Dumfries and Kirkcudbright, 1560-1660”, *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, Third Series, XLII (1965), p. 114. Presumably there were exports from Dumfries in this period. The burgh was, after all, actively involved in sending a ship to Rochelle and Bordeaux in 1562 for wine and salt. A.E. Truckell, “Early Shipping References in the Dumfries Burgh Records”, *The Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, Third Series, XXXIII (1954-5), pp. 132-3.

<sup>212</sup> A.L. Murray, “The Custom Accounts of Dumfries and Kirkcudbright, 1560-1660”, p. 114.

<sup>213</sup> A.E. Truckell, “Early Shipping References in the Dumfries Burgh Records”, pp. 133-4.

<sup>214</sup> *R.S.S.*, VII, no. 1046.



Nevertheless, the common practice was to list all English wares together.<sup>215</sup> Significantly, the English imports listed in detail in 1590, 1593, and 1594 were for cloth (kelt, stamin, Yorkshire cloth, worsted and sky), hooks and scythes- completely different from the wares detailed in 1577-82. The goods in 1577-82 are, therefore, assumed to be re-exports, rather than English imports. This re-export trade does not appear in the 1590s, but then neither do exports of wool, herring or white leather which are also contained in the 1577-82 accounts. Rather than exports of Scottish and European wares suddenly appearing, then completely vanishing in the 1590s it is more likely that the customar's jurisdiction had changed. The customs of the Marches did not normally appear along with the burghs' customs in the Exchequer Rolls. If these commodities were exports by land into England they may simply have been a result of the Marches being included and then excluded from the Dumfries's customar's jurisdiction. It may be significant that at the time when these exports appeared in the custom accounts, 1577-82, the customar was resented to the extent of being hounded out of office.<sup>216</sup>

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<sup>215</sup> Dumfries's 1591-94 enrolled account contained both a monetary English import section and separate entries for specific goods. This was because the account covered four years and was made up from at least three particular accounts, and the procedure employed by the customar changed in the middle of the period. In 1591 and 1592 only the monetary total for English imports was recorded. The surviving particular accounts in 1593 and 1594 listed each individual English import separately. The enrolled account encompassed the whole period and therefore included both procedures. NAS, E.71/10/3-4.

<sup>216</sup> A.L. Murray, "The Custom Accounts of Dumfries and Kirkcudbright, 1560-1660", p. 115.

## CHAPTER 4

### MOVEMENT OF CUSTOMED GOODS BETWEEN JURISDICTIONS

In November 1576 cloth, hides, and sheepskins belonging to David Williamson (a burgess of Cupar) and David Page were customed in Cupar. Instead of being exported from Cupar's port at Motray they were taken to a completely different custom jurisdiction, Dundee, and were exported in a ship commanded by Thomas Fray. Since custom duties had already been paid in Cupar's jurisdiction they were not charged again at Dundee. Consequently, these goods appeared in Cupar's enrolled custom account, despite the goods being exported from Dundee. This example was far from unique. In the same year 70% of Cupar's customed goods went to Dundee, an insignificant quantity were taken to Pittenweem, and the remainder went to St Andrews.<sup>1</sup> Nor was the practice of taking customed goods to another custom jurisdiction to be exported confined to the Tay. It was in fact common throughout Scotland during the entire period of the surviving custom accounts. The custom accounts, by and large, only record the customing location, which means the custom figures are at least consistent. Yet understanding of Scottish trade and shipping can be greatly enhanced if the export locations are also established. Hitherto this has been a neglected topic.

#### I. CUSTOM PROCEDURE AND RECORDS

Customable exports theoretically paid their custom duties and received a cocket in the custom jurisdiction where they originated, and by and large goods were not to be taken from the jurisdiction's boundaries without paying customs.<sup>2</sup> This applied equally to goods that

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<sup>1</sup> NAS, E.71/12/8, f. 10; 8/2, ff. 4-4v.

<sup>2</sup> In 1398 it was decreed that wool was not to be carried across the Forth without paying customs. *A.P.S.*, I, p. 571b. The provost, bailies, and burgesses of Aberdeen were empowered to escheat all the goods taken out of the custom jurisdiction (the sheriffdom of Aberdeen), without paying custom duties. *Charters and Other Writs Illustrating the History of the Royal Burgh of Aberdeen*, edited by P.J. Anderson, (Aberdeen, 1890), nos. 20, 24, 25. There was a reciprocal arrangement whereby Haddington and Dunbar merchants were allowed to trade in each other's precincts as long as customs were paid in the jurisdiction from which the goods originated. *R.M.S.*, I, no. 340.

were taken to other jurisdictions to be exported. In 1571, for instance, Haddington's customar was to custom all the goods leaving the burgh, no matter which port or haven within Scotland they were eventually exported from.<sup>3</sup> When goods were taken to another jurisdiction, the cocket for them would be presented to show that the customs had already been paid, and no further custom charges were made.<sup>4</sup> Possibly a new cocket was issued.<sup>5</sup> The goods would not appear in the second customar's account, and if by mistake they were included, the customar would justifiably claim a rebate.

Occasionally goods were not customed at the jurisdiction of origin. In the 1580s it was felt that collecting customs in Caithness, Sutherland, Strathnaver was unprofitable, so the jurisdiction's lease was to end, all customing was to be discharged, and the area's goods were to be customed at the ports where the ships called in. This procedure was said to be "in use of befor", and certainly in the mid-1570s herring from the North West highlands was customed at the Pittenweem Group.<sup>6</sup> In the sixteenth century exports from North Berwick and Dunbar were so minuscule that the customs offices were redundant. Goods would have been exported from Edinburgh, and in all likelihood customed there.<sup>7</sup> There were sometimes disputes about which customar and jurisdiction should receive the customs revenue. In 1517, merchants of Dundee and Tain sent salmon to Dundee to be exported. The fish were customed at Ross, but Dundee's customars refused to accept the cocket, as Ross's customar continually failed to render accounts to the Exchequer, and so the merchants were required

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<sup>3</sup> R.S.S., VI, no. 1347.

<sup>4</sup> Glasgow's merchants, for instance, received a cocket after paying custom duties to the bishop there. By presenting these cockets, they were to be "free of exaction or payment of all other customs on their said goods in all other towns, ports and places within our kingdom". *Charters and Other Document Relating to the City of Glasgow, A.D. 1175-1649*, edited by J.D. Marwick (Edinburgh: Scottish Burgh Records Society, vol. 14. 1894), part II, no. 38. The same principle applied to cockets issued in royal custom jurisdictions. A small administrative fee, however, was paid by the merchants to the custom officials in the second jurisdiction. *E.R.*, XX, pp. 397-9.

<sup>5</sup> Murray states the customar in the second jurisdiction would "retain the cocket for production in the Exchequer". A.L. Murray "The Custom Accounts of Kirkcudbright, Wigtown, and Dumfries, 1434-1560", *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, Third Series, XL (1963), p. 145. The custom accounts frequently mention cockets from other burghs being presented to the Exchequer. It is not certain if the original cockets were presented, or merely some from of proof. If it were the original cocket, the merchant would have to be issued with another. All the surviving cockets in the sixteenth century are for goods that were sent to another port to be exported, and they may have survived because they were delivered to the Exchequer. NAS, E.75/1-10.

<sup>6</sup> R.C.R.B., I, pp. 262-3; NAS, E.71/6/5-9; see Chapter 9, pp. 211-2.

<sup>7</sup> See Chapter 3, p. 53.

to pay the salmon customs again.<sup>8</sup> It also appears that forged cockets from an initial custom jurisdiction were presented elsewhere to “prove” custom had been paid. A number of merchants, for instance, were caught presenting improper cockets of Elgin and Forres at Aberdeen in 1505, and in 1494 Aberdeen declared a cocket of Dundee had been falsified.<sup>9</sup> Generally, however, the custom accounts consistently record the jurisdiction in which the goods originated, rather than where they were exported.

There is plentiful evidence for goods being taken to other burghs to be exported. Goods could obviously be taken to export locations more suitable in terms of port facilities and shipping activity, and merchants could also have been stockpiling goods in one location prior to export. Anecdotal evidence comes from the custom accounts, when entries normally appear only after the customar had been wrongly charged for goods customed elsewhere. More useful are the entry books of cockets, which list all the goods that had already been customed arriving at the jurisdiction. Unfortunately, only a handful of entry books of cockets survive for Edinburgh and Dundee and they are all confined to the sixteenth century. Comprehensive quantitative analysis of goods taken from one jurisdiction to another between 1328-1600 is not possible. With care, however, enough information can be gathered from these sources to begin to understand the movement of goods and their export rather than merely their custom location. The limitations and usefulness of the custom account references and the entry books of cockets first have to be examined.

#### (a) Source Type: Custom Accounts 1327-1500/40

There are a number of different types of entries in custom accounts, which highlight the movement of goods prior to being exported. Occasionally memoranda state goods or cockets from other burghs have not been included because they had already been customed. Similarly there are references, in the form of allowances in the discharge, to goods mistakenly charged in the account of the exporting burgh, despite the customs being levied

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<sup>8</sup> *A.D.C.P.*, pp. 73-5. In 1528 a dispute arose between a burghess of Irvine and the customar of Ayr. The burghess argued that his herring and cloth, in a ship in the port of Ayr, had been customed in Irvine. Ayr's customar stated he ought to receive the customs since the goods were placed in the ship at Ayr, “namely in the harbour of the same and within the bounds and terms of his office”. The verdict is not recorded. *Protocol Book of Gavin Ross, N.P. 1512-1532*, edited by J. Anderson and F.J. Grant (Edinburgh: Scottish Records Society, vols. 29-30. 1908), no. 807. In 1511 there was a question as to whether certain goods had been customed at Haddington or Edinburgh. *E.R.*, XIII, p. 383.

<sup>9</sup> *E.R.*, X, p. 462; XII, p. 378.



and collected in another jurisdiction.<sup>10</sup> These references are often given only because they relate to mistakes, or are anomalies, and they do not represent the full extent of the movement of goods. In Aberdeen's 1500 particular account, for example, 12 barrels of salmon were customed at Banff, and 6 at Tain. They were automatically subtracted from Aberdeen's salmon customs without it being recorded in the burgh's enrolled custom account.<sup>11</sup> The main trades are likely to be under-recorded in these references. In the mid-fifteenth century the custom accounts for the Lothian and Forth ports, for instance, frequently say that their goods were sent to Edinburgh for export. Edinburgh's own accounts, on the other hand, scarcely mention the practice. Presumably, as in the sixteenth century, the Exchequer's routine procedure would be to look at the long list of cockets Edinburgh received before the charge was compiled. In smaller burghs this may not have been automatic, and the customars were more likely to be charged mistakenly and hence would claim an allowance.

In the fourteenth and fifteenth centuries the custom accounts often list the port of departure. This should not be taken too literally, since goods may have been taken from these locations to other jurisdictions to be exported. Occasionally, however, the references are more specific and state where the goods were sent for export. The numbers and types of vessels are also given, offering some clue as to where the goods might be sent. It can be generally assumed that goods loaded into ships were probably intended for sea going ventures. If boats were used it would be more likely to indicate that the goods were being taken to another port, where they would be loaded into sea going vessels. Though ships were likely to dock at other Scottish ports, it is unlikely the goods were unloaded, and then exported in another vessel.

Thus various pieces of evidence from the custom accounts before the sixteenth century give some anecdotal evidence into the movement of goods prior to being exported.

#### (b) Source Type: Sixteenth Century Entry Books of Cockets

The occasional references in the custom accounts to customed goods, which were sent elsewhere to be exported largely disappear in the first half of the sixteenth century.

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<sup>10</sup> For consistency the figures in the Custom Tables in Appendix 1, pp. 343-485, are for the original custom jurisdiction only.

<sup>11</sup> NAS, E.71/1/1, f. 11v.

Fortunately, some considerably more useful sixteenth century entry books of cockets for Edinburgh and Dundee have survived. These are few in number, but the entry books of cocket for Edinburgh, which received by far the most goods, are available for most decades in the sixteenth century. In addition four particular accounts for Aberdeen that record receipts of goods.<sup>12</sup> A number of cockets survive for goods being sent to another burgh for export, generally Edinburgh or Dundee. Finally, there are a small number of particular accounts which state where goods were sent to be exported.<sup>13</sup>

The entry books of cockets list all the customed goods the burghs received from other custom jurisdictions in a particular year, so it is possible to determine the quantities received from each burgh, in total, and, by adding the quantities received to the burgh's own exports, the total amount shipped. Theoretically, the proportion of each jurisdiction's customed goods sent to Edinburgh or Dundee can also be established by comparing the burgh's custom accounts figures with those in the entry book of cockets.

There are, however, a number of problems associated with using the entry books of cockets. Often the exact quantities received are not listed. Exact totals were always given for hides and barrelled goods, but entries for wool, skins, and cloth tend to be given in vague measures such as pokes, sarplers, fardels or beds. This was presumably because the original cockets with the precise quantities were presented to the Exchequer, while the entry books of cockets acted merely as a cross reference. Broad estimates can be made for these goods,<sup>14</sup> and as the sixteenth century progressed, precise quantities were increasingly listed. Attempts to examine the cloth figures are hindered by the two custom rates in use, for broad and narrow. Since the custom duties are not listed, it is rarely possible to determine what type of cloth is being described. Cloth figures have to be treated with a great deal of circumspection. Moreover, the miscellaneous fell and skin exports are probably best ignored entirely since the customs are not an accurate reflection of their export.<sup>15</sup>

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<sup>12</sup> NAS, E.71/1/1-2, 9, 10.

<sup>13</sup> Aberdeen's particular accounts NAS, E.71/1/6-10 list the vessels departing either overseas, or else to Dundee or Leith and, in one case, Crail, with customed goods. Cupar's 1576 particular account shows goods being taken to Dundee and St Andrews, and a small quantity to Pittenweem. E.71/8/2. In Linlithgow's 1556 account goods were taken to Leith, Stirling, or else loaded on to two ships. E.71/20/2.

<sup>14</sup> The calculations have been made using the estimates listed in Appendix 7, pp. 780-4.

<sup>15</sup> Any analysis of fells in the custom accounts or the entry books of cockets is hindered by a number of burghs claiming exemption, at various times, from customs on them, and by the practice of sometimes listing a variety of skins together under one name. See Chapter 6, p. 163.

Determining accurately the date and the accounting period of the entry books of cockets is extremely difficult. A number of Edinburgh's books merely list a year. This is assumed to be the starting date. The length of the account presumably coincides with the burgh's custom account, since both documents were presented to the Exchequer at the same time, yet it cannot always be assumed this was the case.<sup>16</sup> Moreover, even when Edinburgh's entry books of cockets and custom accounts cover roughly the same periods, the latter will not necessarily coincide with the custom accounts of those burghs sending goods to Edinburgh. There will also be a delay between the date when the goods were customed in the original burgh and when they were received at the second jurisdiction and subsequently presented to the Exchequer. In one extreme case, cockets were presented to the Exchequer a number of years after they had been issued.<sup>17</sup> Normally the delay was considerably shorter, but even if it were for only a few weeks it could span the Exchequer audit. Hence the goods could appear in the original jurisdiction's custom account in one year and in the entry book of cockets for the second jurisdiction in the following year.<sup>18</sup> Comparisons between accounts, therefore, is hazardous, and it is not possible to compare precisely the entry books of cockets with the individual burgh's custom accounts. The evidence, however, is sufficient to allow the basic scale and trends to be determined, especially if a number of accounts are used.

## II. TRENDS IN CUSTOMED GOODS BETWEEN JURISDICTIONS

The rest of this chapter will discuss the trends revealed in the various available sources. The analysis will be split into two parts. The first examines the burghs sending goods elsewhere

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<sup>16</sup> NAS, E.71/32/12-13 are dated for slightly different lengths than the enrolled accounts.

<sup>17</sup> Ayr's customar appears to have waited at least six years to claim his allowance on goods customed at Wigtown and exported from Ayr. A.L. Murray, "The Custom Accounts of Kirkcudbright, Wigtown, and Dumfries", p. 145.

<sup>18</sup> In 1581 a particular account for Stirling and an entry book of cockets for Edinburgh have survived. The lengths of the accounts are almost identical; 9/10 September 1580 to 8/1 August 1581 (Stirling/Edinburgh). There are, however, 13 entries in Edinburgh's book for goods from Stirling which do not appear in Stirling's particular account. They were the first items listed, and they all have crosses next to them in the margin, so may have been entries which were included in Stirling's previous particular account. There are, moreover, five entries in Stirling's particular account which do not appear in Edinburgh's book. They may have been exported directly or taken to another burgh. More likely, since they were the last entries listed, they had not been presented at Edinburgh by the time the entry book of cockets was rendered to the Exchequer. NAS, E.71/27/6; 32/9, ff. 3-v.

to be exported, where they sent them, and what proportion of their exports this represented. The second part focuses on the main receiving locations, and, importantly, how the quantities received from other burghs compared with their own customed trade.

#### (a) Outward Trends in Customed Goods

(i) LOTHIAN, UPPER FORTH, AND FIFE COAST PORTS. All the burghs south of St Andrews sent goods to other custom jurisdictions to be exported. In the earliest surviving custom accounts, 1328-33, goods from Dunfermline went to Perth; Inverkeithing sent a tiny quantity of wool to St Andrews; and interestingly, six sacks of wool customed at Linlithgow were recorded in Perth's 1328 account. Generally, however, these burghs sent their goods to Edinburgh to be exported. Between January 1328 and August 1329 Edinburgh's custom accounts list, presumably, all the cockets the burgh received. By comparing these receipts with the custom accounts of Inverkeithing, Linlithgow, and Stirling it is possible to estimate the proportion of goods that were sent to Edinburgh. Goods were also received from Dunfermline, but there are no royal custom accounts for the area. These are only rough estimates, because the accounts cover slightly different lengths of time, and there may have been delays between the cockets being originally issued and ultimately presented to the Exchequer. Yet it is clear the three burghs sent substantial proportions, roughly two-thirds of their customed goods, to Edinburgh to be exported (see Table 4-1).

**Table 4-1: Stirling, Linlithgow, and Inverkeithing's Customs to Edinburgh 1328-29**

<i>Burgh</i>	<i>Account length</i>	<i>Customs (£)</i>	<i>Customs via Edin.* (£)</i>	<i>%</i>
Linlithgow	Feb 1328-Jun 1328	13.1	11.6	88
Linlithgow	Jun 1328-Aug 1329	38.5	19.5	51
Stirling	Jan 1328-Jun 1328	1.4	0.6	41
Stirling	Jun 1328-Aug 1329	5.4	4.8	89
Inverkeithing	Jan 1328-Jun 1328	4.7	9.9 [lege?]	-
Inverkeithing	Jun 1328-Aug 1329	9.4	4.8	52
Dunfermline	ca. 1329	-	4.9	-

\* Edinburgh's accounts January 1328-June 1328; June 1328-August 1329.

Source: Custom accounts, Appendix 1, pp. 395, 425, 445, 478.

In the second half of the fourteenth century, the burghs south of St Andrews continued to take goods to Edinburgh. In 1391 the burgh received five cockets from Linlithgow; three from Stirling; two each from Inverkeithing and Kinghorn; and one cocket each from Dunbar, Haddington, and North Berwick. It is impossible to establish the actual



quantities involved. Edinburgh must have remained the main recipient of other burghs' customed goods. Yet it could be tentatively suggested that burghs were not so dependent on sending Edinburgh their goods, as a proportion of the total, as they had been in 1328-29. In the final two decades of the fourteenth century there are references to Inverkeithing and Stirling sending numerous cockets, and probably a substantial proportions of their goods, to Linlithgow (Table 4-2). In 1381, for instance, Stirling sent over 14 sacks of wool, 200 woolfells and nearly 180 dakers of hides to Linlithgow, equivalent to roughly 60% of their customed trade. Even Edinburgh and Dunbar on occasion sent goods to Linlithgow. At the same time there are also references to goods being transferred between Dunbar, Haddington and North Berwick prior to being exported.<sup>19</sup> In addition Inverkeithing sent goods to Haddington in 1364, and twenty years later wool and hides customed at Kinghorn went to North Berwick (possibly via a ferry route). Perhaps more importantly, the fact that this was a boom period in wool, woolfell, and hide exports allowed burghs to be more actively involved in shipping their goods directly overseas, rather than taking small batches to Edinburgh, or elsewhere, to await shipment.

**Table 4-2: Cockets Received at Linlithgow 1382-1403**

<i>Year</i>	<i>Inverkeithing (cockets)</i>	<i>Stirling (cockets)</i>	<i>Edinburgh (cockets)</i>	<i>Other (cockets)</i>
1382	1	7	4	0
1386	3	11	1	0
1389	2	4	2	0
1391	5	7	1	0
1392	2	4	0	0
1393	6	2	1	Dunbar- 1
1403	0	4	0	Ayr-1

*Source: E.R., III, pp. 63, 133, 188-9, 202, 247, 289, 567.*

During the fifteenth century it is conceivable that the proportion of goods customed in the burghs south of St Andrews and sent to Edinburgh to be exported increased considerably. In the 1450s and 1460s most of the custom accounts for these burghs at some stage describe their customed goods as being sent to Edinburgh. These statements were the result of a new clerical procedure rather than a new trade phenomenon. Previously accounts stated only where the goods were initially shipped from and made no mention of the actual

<sup>19</sup> There are references to Haddington sending customed goods to Dunbar (by boat and cart) and to North Berwick, to be exported. Dunbar sent goods to North Berwick. Haddington 1380, 1397-8; North Berwick 1385.

export point.<sup>20</sup> Thus the importance of sending significant proportions of goods to Edinburgh presumably pre-dates the middle of the fifteenth century. There are very few surviving references to any jurisdiction except Edinburgh receiving goods. In 1489 shorlings were taken from Kinghorn to Inverkeithing, and mention is made of Dunfermline and the Fife burghs taking small quantities to the Tay ports; after 1403 there are no entries for goods going to Linlithgow's jurisdiction.<sup>21</sup> The references and entries, of course, do not show the complete movement of goods in the fifteenth century. They do, however, suggest that by the middle of the century, and probably before, a significant proportion of the goods customed in the burghs south of St Andrews were taken to Edinburgh to be exported. This may have been a result of the collapse in the volume of exports. Ships no longer visited each individual port and increasingly goods had to be sent to a single port- the most important- to be exported. The size of ships may also have increased, restricting them to the biggest and best-equipped harbours. Smaller ports were not suitable and the decline in trade hindered any incentive to upgrade the facilities.

In the fifteenth century only general assumptions can be made about the degree to which the Lothian, Upper Forth, and Fife ports sent their customed goods to Edinburgh. In the following century it can be fully demonstrated, and, to some extent, quantified by using Edinburgh's entry books of cockets. Edinburgh's entry books for 1511, 1513, 1528 are slightly shorter than most of the corresponding custom accounts and several of the jurisdictions were leased.<sup>22</sup> Yet crude calculations show that Stirling, Haddington and Linlithgow sent large amounts and significant proportions of their goods to Edinburgh.<sup>23</sup> Small absolute quantities, but probably substantial proportions of their exports, were sent by Inverkeithing, Kinghorn, and Dysart. Primarily all these jurisdictions sent wool, hides,

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<sup>20</sup> Goods described as sent to Edinburgh/Leith for export: Dunbar 1450-51, 1459-60, 1462-3, 1491; Haddington 1444, 1446-48, 1450-55, 1463-64; North Berwick 1450-51, 1453-55; Linlithgow 1459-62; Stirling 1458-60, 1465, 1484; Inverkeithing 1463-65; Kinghorn 1447, 1450, 1463; Crail 1451. Prior to the middle of the fifteenth century, Leith was normally mentioned in conjunction with other ports. In 1428 Linlithgow sent their goods to Blackness and Leith; Stirling sent their goods to these two ports in 1367, 1381, 1450-57. Haddington 1379, 1434-35, and Dunbar 1466 sent goods to Aberlady and Leith.

<sup>21</sup> Perth received 120 woolfells from Kinghorn in 1457, and small quantities of wool and woolfells from Dunfermline between 1515 and 1518. In 1517 and 1529 Dysart sent salmon to Dundee, and in 1434 Cupar received wool and hides from Crail. The goods going to Cupar and Perth may be related to the trading boundaries of these two burghs, rather than their potential as export points.

<sup>22</sup> The entry books, like the entry of cocket books, contain all the customed goods Edinburgh received. In addition they contain Edinburgh's customs.

<sup>23</sup> There are no custom figures for Haddington in 1511 and 1513, and Linlithgow and Stirling in 1528, since jurisdictions were leased. The quantities they sent to Edinburgh were fairly substantial.

woolfells, and cloth.<sup>24</sup> Crail and Pittenweem sent herring and cod to Edinburgh, yet as a proportion of their trade, it was minuscule. In Edinburgh's 1539 entry book of cockets a similar pattern is evident. Edinburgh received roughly 90% of the all the wool, hides, and cloth customed at Haddington, Linlithgow, the Pittenweem Group, Inverkeithing and Stirling,<sup>25</sup> and only about 10% of the Pittenweem Group's substantial herring and cod exports.

Five surviving entry books of cockets for Edinburgh cover most of the 1560s.<sup>26</sup> Unfortunately, the customs for the burghs south of St Andrews in the decade were largely leased, and accounts were either not rendered or covered extended periods, thus making comparisons with the entry books difficult. It is, however, apparent that Edinburgh received sizeable quantities of hides, woolfells (and other fells), and cloth from Haddington, Linlithgow, Inverkeithing, Dunfermline Regality, Kinghorn, and Dysart. In most of the accounts the Pittenweem Group sent only small quantities of fish to Edinburgh. In two, however, one for 1565 and the other beginning in 1567, substantial quantities of herring and cod were sent to Edinburgh. In the earlier account the amount represented 20% of the Pittenweem Group's herring exports. The later account's length cannot be determined, making it impossible to calculate the proportion sent to Edinburgh.<sup>27</sup> Edinburgh also received 32 chalders of salt from Dysart in the 1566/7 account compared with Dysart's own customs records of 48 chalders between October 1565 and October 1569. Cargoes of salt and coal going to Edinburgh, however, are in the main conspicuous by their absence.

The trends in the 1581 Edinburgh entry book of cockets are similar to those in the 1560s and earlier. Edinburgh received virtually all of the hides, fells, and cloth from

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<sup>24</sup> It is difficult to calculate the cloth figures precisely, but large proportions seem to have been involved.

<sup>25</sup> Only 20% of Stirling and Linlithgow's woolfells were received at Edinburgh. This might have been a result of the seasonal nature of the trade.

<sup>26</sup> NAS, E.71/32/8 has been dated to ca. 1570, but judging from its style (especially the names given to the various custom jurisdictions and their listed order), it appears to be earlier. Corresponding entries for ash, oil, and herring from Linlithgow, Dundee and Burntisland suggest it could be for 1559.

<sup>27</sup> There are 1,600 barrels of herring and codling from the Pittenweem Group in Edinburgh's entry book of cockets, which begins in September 1567. NAS, E.71/32/7, f. 2. It is not known when the account terminated. It is probably likely to correspond with Edinburgh's custom account, and extend up to 1572. If this is the case, a fifth of the Pittenweem Group's herring and codling were taken to Edinburgh to be exported. This is a broadly similar proportion to 1565. No cod, by number, were sent to Edinburgh despite 219,000 being customed between November 1567 and October 1572.

Haddington and Stirling; a fairly insignificant proportion of fish from the Pittenweem Group (roughly 30% of herring and 10% of cod customs); and, despite the dramatic increase in their export, hardly any coal and salt.<sup>28</sup> The particular accounts for Culross and Prestonpans, however, reveal Edinburgh and Leith merchants were involved in directly exporting coal and salt overseas.<sup>29</sup> In the period between 1589 and 1596 entry books of cockets survive for four years. The custom accounts are largely complete, and, importantly, the entry books are dated and, by and large, correspond with the dates of individual custom accounts. This allows analysis to be made with a degree of confidence. Tables 4-3, 4-4, and 4-5 show the customs of these burghs, compared with the amounts they sent to Edinburgh to be exported. The basic trends apparent throughout the century are immediately clear. Most of the cloth, fells, and hides, a small fraction of herring and cod, and virtually no minerals went to Edinburgh.

In the sixteenth century the burghs south of St Andrews also sent small amounts to other ports to be exported. The Fife ports continued to send goods to the Tay, and the Pittenweem Group began to send small proportions of their fish exports to Dundee.<sup>30</sup> In 1556 Linlithgow directly exported fells and cloth via Blackness, sent various goods to Leith, and in one cocket surprisingly sent 54 dakers of hides to Stirling.<sup>31</sup> This is the only reference to a movement in this direction, and it can be assumed to be very unusual. More importantly, in the second half of the sixteenth century, goods appear to have been sent to Burntisland to be exported. There are no custom records relating to this, though Edinburgh's authorities repeatedly tried to stop their burgesses exporting from Burntisland.<sup>32</sup>

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<sup>28</sup> NAS, E.71/29/9.

<sup>29</sup> NAS, E.71/23/1; 7/1-4.

<sup>30</sup> In 1555 the Pittenweem Group customed 4,445 barrels of herring and codling of which 440 barrels went to Dundee. In 1563 18 out of 3,452 barrels were recorded at Dundee, and four years later 259 from 2,355 barrels. In 1576 Dundee received 240 barrels of herring, while the Pittenweem Group customed 4,878 barrels, and 39 barrels out of 75 of oil. NAS, E.71/12/5, f. 4v.; 12/7, ff. 7-7v.; 12/8, f. 9; 32/3, f. 2v.

<sup>31</sup> In 1556 Linlithgow sent 70½ dakers of hides, 5½ dozen cloth, 780 lambskins and 12 barrels of salmon to Leith, and 54 dakers of hides to Stirling. In addition, 21 dozen cloth, 960 lambskins, 1,380 woolfells, 2,400 shorlings and 120 futefells were loaded onto two ships. NAS, E.71/20/2.

<sup>32</sup> *Edin. Recs.*, II, pp. 114-5, 208; IV, pp. 27, 208. In 1559 goods belonging to Edinburgh burgesses were loaded onto the *Angel* and taken from Burntisland to Veere. *Acta Curiae Admirallatus Scotiae*, edited by T.C. Wade (Edinburgh: Stair Society, vol. 2. 1937), pp. 168-170. For references indicating neighbouring burghs used Burntisland's harbour see *R.C.R.B.*, I, pp. 337, 375-6, 389, 416, 491.



**Tables 4-3 to 4-5: Lothian, Upper Forth, and Fife Exports Via Edinburgh**  
(Quantity in Edinburgh's entry book of cockets/ total in individual custom account)

**Table 4-3: October 1589-October 1591**

<i>Burgh</i>	<i>Hides (daker)</i>	<i>Woolfells (no.)</i>	<i>Cloth (dozen)</i>	<i>Herring (bar.)</i>	<i>Cod (no.)</i>	<i>Oil (bar.)</i>	<i>Salt (chr.)</i>	<i>Coal (chr.)</i>
Haddington	29/18	8,100/8,190	(5/3)	0/0	0/0	0/0	0/0	0/0
Stirling	93/92	1,200/7,110	53/189	0/0	0/0	0/0	0/0	0/0
Culross	0/0	0/0	0/0	0/0	0/0	0/0	0/1,083	0/827
Dysart	18/18	0/120	0/0	0/780	0/3,000	0/10	0/109	0/0
CAP	0/24	0/0	0/16	134/6,966	0/41,760	14/51	0/209	0/196

*Source:* NAS, E.71/32/10-11; Custom accounts, Appendix 1, pp. 366, 394, 414-5, 424, 474, 483.

**Table 4-4: June/July 1593-July/August 1594**

<i>Burgh</i>	<i>Hides (daker)</i>	<i>Woolfells (no.)</i>	<i>Cloth (doz.)</i>	<i>Herring (bar.)</i>	<i>Cod (no.)</i>	<i>Oil (bar.)</i>	<i>Salt (chr.)</i>	<i>Coal (chr.)</i>
Haddington	97/109	3,810/3,810	0/0	0/0	0/0	0/0	0/0	0/0
Stirling	110/162	570/2,520	73/91	0/0	0/0	0/0	0/0	0/0
Culross	0/0	0/0	10/0	0/0	0/0	0/0	0/400	0/327
Dysart	0/0	0/0	0/0	0/120	0/1,200	0/0	0/10	0/10
CAP	0/12	0/0	0/0	60/3,316	0/13,800	0/16	0/12	0/53

*Source:* NAS, E.71/32/12; Custom accounts, Appendix 1, pp. 366, 394, 414-5, 424, 474, 483.

**Table 4-5: July 1595-July 1596**

<i>Burgh</i>	<i>Hides (daker)</i>	<i>Woolfells (no.)</i>	<i>Cloth (doz.)</i>	<i>Herring (bar.)</i>	<i>Cod (no.)</i>	<i>Oil (bar.)</i>	<i>Salt (chr.)</i>	<i>Coal (chr.)</i>
Haddington	109/109	6,720/6,120	(10/10)	0/0	0/0	0/0	0/0	0/0
Stirling	102/NA	3,540/NA	47.5/NA	0/NA	0/NA	0/NA	0/NA	0/NA
Culross	0/0	0/0	0/0	0/0	0/0	0/0	0/413	0/733
Dysart	0/12	0/0	0/0	0/15	0/0	0/1	0/40	0/0
CAP	0/1.5	0/0	0/105	356/1,440	240/36,360	17/69	0/90	0/9

*Source:* NAS, E.71/32/13; Custom accounts, Appendix 1, pp. 366, 394, 414-5, 424, 474, 483.

*Notes:* There are no custom accounts available for Prestonpans, Burntisland, Dunfermline, and Kirkcaldy in this period. The customs at Inverkeithing, Kinghorn, Linlithgow, and Dunbar were insignificant and have been left out. Re-exports, salmon, and victual exports were of little importance and along with miscellaneous fells have not been included. The coal customs at Culross include both smiddy and great coal. Occasionally the quantity registered at Edinburgh is greater than the amount customed by the individual burgh. This may be due to clerical errors, or cockets from previous years being presented. Although it should be noted that in 1594 Culross was recorded as having sent cloth, various fells and timber to Edinburgh, none of these goods were included in Culross's custom accounts throughout the 1590s.

From at least the middle of the fifteenth century most burghs south of St Andrews sent a large proportion of their goods to Edinburgh to be exported. This applied particularly to wool, hides, fells, and cloth exports, which were declining and which Edinburgh dominated in her own right. Herring and cod were also sent to Edinburgh and, to a lesser extent, Dundee in the sixteenth century, but overall they appear to have been mainly exported directly. Presumably the scale of the trade allowed direct participation. Little or no salt or coal, substantial trades in the final third of the sixteenth century, made its way to Edinburgh to be exported. Loading and unloading these bulky commodities was expensive and time-consuming; it made more sense to load them directly into ships, provided there were adequate port facilities.

(ii) TAY PORTS. There are fewer references to burghs in the Tay area sending their goods to other ports to be exported than their more southerly neighbours, but the practice did occur. The inter-Tay movement was principally the smaller or inland burghs at Cupar, Perth, and Arbroath taking goods to the larger sea ports at Montrose, Dundee, and St Andrews. There are references to Arbroath sending goods to all three ports,<sup>33</sup> and goods from Cupar were shipped from Dundee and St Andrews. In the second half of the sixteenth century most of the small quantity of goods customed at Arbroath and Cupar were taken to Dundee.<sup>34</sup> Perth's dependence on Dundee was evident from an early date. From the early 1400s the number of ships departing from Perth fell, due to a reduction in exports, and an increasing proportion of goods being taken to Dundee and elsewhere to be exported. By the middle of the fifteenth century Perth's custom accounts commonly refer to goods being sent to Dundee, a phenomenon which presumably pre-dates the references.<sup>35</sup> In the second half of the sixteenth century most of the goods customed at Perth were sent to Dundee to be exported.<sup>36</sup> In 1555 over three-quarters of Perth's goods went by boat or by horse to Dundee, and twenty years later virtually all the burgh's goods went there.<sup>37</sup>

<sup>33</sup> In 1369 there is a reference to Arbroath's goods going to Montrose. *R.R.S.*, VI, no. 440. Additionally Arbroath's custom accounts list their goods as being exported from Montrose (1393, 1395, 1397-98, 1416, 1428-29); Dundee (1397, 1403, 1416); St Andrews in 1397 and the port of Eden in 1430.

<sup>34</sup> In 1576 roughly 70% of Cupar's customed goods went to Dundee. A minuscule proportion went to Pittenweem and the remainder was taken to St Andrews. *NAS*, E.71/8/2.

<sup>35</sup> Perth's accounts state their goods were shipped from Perth and Dundee in 1381, 1459-60, 1463; Perth and several other places in 1452-57; Dundee in 1458; and the Tay in 1462.

<sup>36</sup> This was not without its problems. In the 1530s and the 1570s Perth complained that Dundee's custom officials made extra charges on goods customed in Perth. *A.D.C.P.*, p. 362; *E.R.*, XX, pp. 397-9.

<sup>37</sup> *NAS*, E.71/12/5, ff. 1-2v.; 12/8, ff. 1-4v.

There are only a few references to exchanges of goods between Dundee, Montrose, and St Andrews in the fourteenth and fifteenth centuries.<sup>38</sup> In the second half of the sixteenth century St Andrews and Montrose were recorded in Dundee's entry book of cockets; the quantities involved were small but perhaps rising. In 1555 8% of Montrose's customs went to Dundee and in 1576 20%. It is impossible to calculate the proportion of St Andrews' goods going to Dundee, although the absolute quantities were at their greatest in 1576.<sup>39</sup>

The Tay burghs did not restrict themselves to sending their goods to other Tay ports. On a number of occasions Aberdeen received small quantities of goods customed at Dundee, Perth, and Montrose.<sup>40</sup> Of far more importance were the goods sent to Edinburgh. Perth was recorded as sending goods to Edinburgh in the fifteenth century,<sup>41</sup> and Edinburgh's sixteenth century entry books of cockets show goods came from Montrose, Dundee, Perth, Cupar and, on one occasion, St Andrews. Montrose in particular sent sizeable amounts of salmon to Edinburgh.<sup>42</sup> In the first half of the sixteenth century the proportion of hides taken to Edinburgh was fairly large, and the burgh received about 15% of the hides customed at Dundee and Perth.<sup>43</sup> Other commodities, such as woolfells, especially from Cupar, and cloth, were recorded, but the quantities were insignificant. After the 1560s Edinburgh's receipt of goods from the Tay diminished fairly dramatically, with the exception of those from Montrose. Entries for Dundee, Perth, and Cupar hardly appear and when they do, the quantities are minuscule.

Perth, Cupar, and Arbroath depended on sending their customed goods to other burghs to be exported, primarily the neighbouring ports of St Andrews, Montrose, and

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<sup>38</sup> In 1364 Dundee sent goods to St Andrews, and three years later goods from St Andrew were said to have been shipped from Dundee.

<sup>39</sup> NAS, E.71/12/5, 7-8; 32/3.

<sup>40</sup> There are references to Aberdeen receiving goods from Montrose in 1368, 1385, 1502; Dundee in 1403, 1494, 1495; Perth in 1495. Aberdeen's 1522-24 particular account includes 56 dakers of hides, 16 packs and a pinnok of cloth, a pack of lambskins, a barrel of salmon and 6 barrels of ash, in a cocket of "Dundee and of the tovn of Perth that past in the forsaid schippis in Flanders". A cocket of Edinburgh was also received at the same time. Rather than this being a common practice, the goods are likely to have been sent to Aberdeen to avoid the hostilities with England. NAS, E.71/1/2, ff. 3-3v.

<sup>41</sup> Edinburgh received hides from Perth in 1491, and cloth in 1458 (and possibly cloth in 1426).

<sup>42</sup> In 1528 Montrose customed 308 barrels of salmon of which 198 went to Edinburgh; eleven years later the proportion was 301 out of 408½ barrels. In the early 1590s Edinburgh received virtually all of Montrose's small quantity of salmon exports. NAS, E.71/29/4, f. 22; 32/1, f. 13; 32/10, f. 2; 32/12, f. 4v.; 32/13, f. 6v.

<sup>43</sup> NAS, E.71/29/2-4; 32/1.

Dundee. There appears to have been little transfer of goods between the latter three ports for most of the period. All the ports sent goods out of the Tay area to be exported, with St Andrews probably the most self-contained. Primarily the goods went to Edinburgh, but with the exception of hides and salmon, the proportions were insignificant. In the final third of the sixteenth century Montrose sent fairly considerable quantities to Edinburgh, but the other burghs seem to have withdrawn from the trade. This may coincide with a greater quantity of goods, including those from Montrose, being sent to Dundee, as revealed by that burgh's 1576 book of cockets.

(iii) NORTHERN PORTS. In 1368 Aberdeen sent goods to Montrose to be exported, and in 1385 goods customed at Aberdeen were exported from Findhorn. These constitute the only surviving references to the burgh sending goods elsewhere to be exported in the fourteenth and fifteenth centuries. There are considerably more references to Aberdeen receiving goods. The Northern ports sent goods to Aberdeen between 1368 and 1431. The practice became more common, judging by the available entries, from the final third of the fifteenth century.<sup>44</sup> This, however, is slightly misleading. Virtually all the entries were for salmon, on which custom duties had only recently been re-introduced. Exports of salmon via Aberdeen, therefore, may have had a greater antiquity that is not recorded. In 1479 Elgin, Forres, and Banff sent 227 barrels of salmon to Aberdeen. In the same year the whole of Elgin, Forres and Inverness customs amounted to 288 barrels customed, while 519 barrels were customed at Banff between 1477 and 1480. This suggests a large proportion of salmon went to Aberdeen. In other references the quantities involved were considerably smaller. It appears that normally the proportions were fairly small, yet this is impossible to prove since a large number of the Northern ports' custom accounts are missing, leased, or cover extended jurisdictions.

Towards the end of the fifteenth and the start of the sixteenth centuries the surviving custom account references for the first time indicate that Northern goods, especially salmon,

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<sup>44</sup> In 1368 a cocket of Elgin and Forres was received at Aberdeen. Wool, which had been customed by the Earl of Mar, was shipped from Aberdeen in 1416. Aberdeen received hides customed at Wick in 1429 and two years later hides and rabbit skins from Inverness. References from the final third of the sixteenth century are more common; see Aberdeen's custom and particular accounts in 1479, 1492, 1495, 1500 (NAS, E.71/1/1, f. 11v.), 1501-2, 1504-5, 1513, 1528, and 1531 recording receipts of goods customed at Banff, Elgin and Forres and Findhorn. Aberdeen's 1583 particular account lists a substantial quantity of herring customed at Loch Broom, and a year later three lasts of salmon from Forres and Elgin. E.71/1/9, f. 17v.; 1/10, f. 29v.



were being taken to Dundee and Edinburgh to be exported.<sup>45</sup> Moreover, Edinburgh's entry books in 1511 and 1513 record substantial quantities of salmon arriving from Elgin and Forres, Banff, and Tain. Combined, the two accounts contain over 2,000 barrels of salmon (Table 4-6). It may have been common for salmon to be sent to Edinburgh, yet the sheer volume was clearly a recent development. At the start of the century the Northern ports' entire salmon exports were only 300 barrels a year. The rise may well have been the result of the trade being opened up by merchants from the lowlands. Merchants from Edinburgh and Dundee were certainly heavily involved in the northern salmon trade in the sixteenth century.<sup>46</sup>

The customs for the burghs north of Aberdeen were leased for most of the sixteenth century. It is not, therefore, possible to establish what proportion of their goods was sent south to be exported. Nonetheless, the entry books of cockets for Edinburgh and Dundee record impressive absolute quantities of salmon and, for limited periods, herring. There were also small but regular shipments of hides and cod.<sup>47</sup> It could tentatively be suggested that the bulk of the area's goods were taken south to be exported.

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<sup>45</sup> Banff sent salmon to Edinburgh in 1492 and 1496, and Dundee received salmon from Elgin in 1516. In 1516 burgesses of Dundee and merchants from Tain bought 93 barrels of salmon and grilse in Tain, and received their cocket there. The fish were sent to Dundee, but the cocket was not admitted and the merchants were required to pay the custom duties again in Dundee. *A.D.C.P.*, pp. 73-5.

<sup>46</sup> In Banff's 1577 particular account all the salmon was exported by merchants connected with Edinburgh, including Walter Cant in Leith, who was responsible for 42 out of the 85 barrels customed. There are numerous references to Cant's involvement in the northern salmon trade. Edinburgh's ca. 1540 entry book of cockets records him as taking 51 barrels of salmon from Aberdeen. NAS, E.71/32/2, f. 3. Between ca. 1564-1568/72 he took nearly 1,400 barrels of salmon from Aberdeen, Banff, Findhorn, and the Spey to Edinburgh to be exported. E.71/32/4, ff. 6v., 10, 11; 32/6, ff. 5, 7; 32/7, ff. 5-6v., 10; 32/8, ff. 3v-4; 32/9, f. 4. There are two surviving cockets belonging to Cant in 1573 for seven lasts of salmon going from Aberdeen to Leith. E.75/9/1, 5. Later in the decade, he exported salmon from Banff, and he sent two shipments of salmon from Aberdeen to Leith in 1581. E.71/1/7, f. 2v.; 4/1, f. 1. Furthermore, Walter Cant rendered Banff's custom accounts between 1578 and 1581. Another merchant frequently encountered in the northern salmon trade is David Vaus of Leith, see E.71/32/4, f. 8v; 32/5, f. 6v.; 32/6, f. 7v; *Old Ross-shire and Scotland: as seen in the Tain and Balnagown Documents*, edited by W. Macgill (Inverness, 1909), no. 453; *Records of Inverness, Burgh Court Books, 1556-86*, edited by W. Mackay and H.C. Boyd (Aberdeen: New Spalding Club, vol. 38. 1911), p. 18.

<sup>47</sup> See Tables 4-6 and 4-7 for shipments to Edinburgh. In 1555 Dundee received 58 barrels of salmon from the Spey. NAS, E.71/12/5, f. 3v. The burghs north of Aberdeen did not send anything to Dundee in 1563. E.71/32/3. Four years later Dundee received 107 barrels of salmon and 1.4 dakers of hides from Elgin and 153 barrels of herring from Loch Broom. In 1576 Inverness, Elgin and Forres sent 697 barrels of salmon, 2,940 woolfells, hides, and cloth to Dundee, and 348 barrels of herring arrived from Loch Broom. E.71/12/7, ff. 6, 8-8v; 12/8, ff. 6-6v., 11, 12.

In the first third of the sixteenth century a small quantity of salmon from Aberdeen appeared in Edinburgh's entry books of cockets (Table 4-8). It is unlikely to have been a significant percentage of the burgh's trade, although this cannot be proved, since Aberdeen's salmon customs were leased during the period. Thereafter, large proportions of Aberdeen's salmon were sent to Edinburgh and Dundee. In 1539 roughly a tenth of Aberdeen's salmon went to Edinburgh, and in 1576 40% went to Dundee.<sup>48</sup> In the late 1570s and early 1580s, Aberdeen's surviving particular accounts give the intended destination of the customed goods, whether directly overseas or to another Scottish burgh first. This allows the export point to be determined with a degree of certainty. In the 1577 account, of the 857 barrels of salmon customed, 45% went to Dundee and 8% to Leith.<sup>49</sup> Three years later the proportions were reversed; Leith received 58% and Dundee 14%. Between February 1581 and October 1584 the two southern burghs together received only 15% of Aberdeen's salmon.<sup>50</sup> In the first half of the 1590s Edinburgh's entry books of cockets reveal that roughly a fifth of Aberdeen's salmon was sent to Edinburgh. Possibly because they were purchased by lowland merchants, a large proportion of Aberdeen's salmon exports was sent south to be exported; the bulk of Aberdeen's other goods were exported directly overseas. Edinburgh and Dundee's entry books of cockets testify to the small quantities of other goods they received from Aberdeen. Here, however, it is sufficient simply to list the figures from Aberdeen's particular accounts covering 1577, 1580, and 1581-84. In these years Dundee and Edinburgh received 30% of the salmon customs; 17% of the very small quantity of hide exports; 5% of the cloth; 3% of the herring and cod; 0.2% of lambskins; and no woolfells.<sup>51</sup>

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<sup>48</sup> NAS, E.71/12/5, f. 6; 32/4, ff. 6-6v; 32/5, f. 4; 32/6, f. 5; 32/7, f. 5. See also the original cockets from Aberdeen containing salmon being sent to Leith in 1562, 1565, 1573-74. NAS, E.75/5-6, 9.

<sup>49</sup> Aberdeen's 1577 particular account records a boat departing to Flanders with a variety of goods. A note next to an entry for 16 barrels of salmon states they were to be sent to Montrose, presumably to be exported. NAS, E.71/1/6, f. 3.

<sup>50</sup> NAS, E.71/1/6-10.

<sup>51</sup> NAS, E.71/1/6-10. Interestingly four dozen of cloth went to Crail.

**Table 4-6: Banff to Thurso Exports Via Edinburgh, 1511-1596**

Source NAS E.71	Date	Wool (st.)	Hides (daker)	Woolfells (no.)	Salmon (bar.)	Herring (bar.)	Cod (no.)	Oil (bar.)
29/2	Sep 1510-May 1511	64	0	0	495	0	0	0
29/3	Oct 1512-Jun 1513	200	29	0	1,537	0	2,880	0
29/4	Aug 1527-May 1528	40	2.5	960	599	0	0	0
32/1	Sep 1538- Aug 1539	34	4	120	1,708	0	360	0
32/3	ca. 1563-64	0	0	0	24	0	10,880	0
32/4	ca. 1565-66	0	80	720	1,287	402	8,400	4
32/5	ca. 1566	0	48	0	513	0	2,160	0
32/6	1566-67	0	111	360	626.5	0	0	0
32/7	Sep 1567-72?	0	74.4	2,760	2,129	194	7,200	0
32/9	Sep 1580-Aug 1581	0	8	0	260	1	0	7
32/10	Oct 1589-Oct 1590	0	33.2	0	319	84	840	2
32/11	Oct 1590-Oct 1591	0	0	0	0	0	0	0
32/12	Jun 1593-1594	0	75.4	0	1,348	57	1,920	1
32/13	Jul 1595-Jul 1596	0	79	1,280	837	56	2,400	0

**Table 4-7: North West Exports Via Edinburgh, 1511-96**

Source NAS E.71	Date	Hides (daker)	Salmon (bar.)	Herring (bar.)
32/5	ca. 1566	0	0	1,152
32/6	1566-67	0	0	1,024
32/7	Sep 1567-1572?	4	303	5,178

Notes: there are no entries in NAS E.71/29/2-4; 32/1, 3-4, 9-13.

**Table 4-8: Aberdeen Exports Via Edinburgh, 1511-96**

Source NAS E.71	Date	Wool (st.)	Hides (daker)	Woolfell (no.)	Salmon (bar.)	Herring (bar.)	Cod (no.)	Oil (bar.)
29/2	Sep 1510-May 1511	0	0	0	0	0	0	0
29/3	Oct 1512-Jun 1513	270	5	0	0	0	0	0
29/4	Aug 1527-May 1528	16	0	0	35	0	0	0
32/1	Sep 1538-Aug 1539	0	5	0	311	0	0	0
32/3	ca. 1563-64	0	0	0	90	0	2,640	0
32/4	ca. 1565-66	0	0	0	724	0	0	0
32/5	ca. 1566	0	0	0	177	0	0	0
32/6	1566-67	0	0	0	171	0	0	0
32/7	Sep 1567-72?	0	2	0	516	0	0	0
32/9	Sep 1580-Aug 1581	0	0	0	0	0	0	0
32/10	Oct 1589-Oct 1590	0	0	0	113	0	0	0
32/11	Oct 1590-Oct 1591	0	0	0	19	0	0	0
32/12	Jun 1593-1594	0	0	120	260	0	0	0
32/13	Jul 1595-Jul 1596	0	0	0	87	0	0	0

Notes: Occasionally small quantities of cloth and fells were exported via Edinburgh. These are not included. Edinburgh's entry books of cockets E.71/32/2, 8 are not given, as they cannot be dated with any accuracy.

(iv) THE WEST COAST. During the fourteenth century, goods customed at the West Coast were sent to the East Coast to be exported. Berwick-upon-Tweed received cockets from Lochmaben in 1328 and 1329. The quantities in the latter year were substantial, with an especially large number of hides compared with Berwick's own hide exports, although it is not certain that all these goods were from Lochmaben. In 1329 Edinburgh also received cockets from Lochmaben and Tarbert. These amounted to £7 7s. 8d. in customs, equivalent to roughly 22 sacks of wool. Additionally, Linlithgow's custom accounts for the early 1340s include references to goods from Ayr.<sup>52</sup>

Between 1373 and 1377 Ayr's exports of wool, hides, and woolfells boomed. All of them, according to Ayr's custom account, were taken to the East coast to be sent overseas. Each account states the goods were sent to Linlithgow's port at Blackness, though in reality they also found their way to Leith. Linlithgow's accounts also refer to the trade. In 1373 the burgh received nearly 50 sacks of wool, and four years later a further 9 sacks of wool, 200 dakers of hides, and 400 woolfells. Ayr's 1374 account notes all the goods went to Blackness, although Edinburgh's account records the arrival of £5 6s. 8d. of customed goods from Ayr.<sup>53</sup> These shipments via the East coast came to an abrupt halt after 1377, which coincides exactly with the disappearance of Ayr's custom accounts. Edinburgh and Linlithgow's accounts do not include any references to Ayr, despite a handful of years listing all the cockets they received.<sup>54</sup> In 1403 Ayr sent ten sacks of wool and four lasts of hides to Linlithgow, and while, admittedly, there may be more references which have not survived, this seems to have been a final flourish rather than a systematic trade.

During the fifteenth and sixteenth centuries goods customed at the West coast were mainly exported there. Surviving references show the movement of customed goods between burghs prior to being exported. While it is not possible to establish the extent of

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<sup>52</sup> In 1341, 60 dakers of hides customed at Ayr were taken to Linlithgow, and two years later goods customed at 13s. 4d. were received there. In the intervening year two cockets of unrecorded origin passed through Linlithgow; they may also have originated in Ayr.

<sup>53</sup> Ayr's 1376 account states that all the goods were sent to Blackness, but later the account states 33 sacks and 17 stone went to Blackness and the remaining 6 sacks and 20 stone went to Leith. Edinburgh's account for the same year notes 50 dakers of hides were received from Ayr.

<sup>54</sup> Accounts for Linlithgow in 1382, 1386, 1389, 1390, 1392-93, and Edinburgh in 1390 list all the cockets received; they do not mention any cockets or goods from Ayr. *E.R.*, III, pp. 63, 133, 188-9, 202-5, 247, 289.



this, the available references do indicate that, unlike the East coast, there was a fairly free flow of goods between the burghs, and, apparently, no dominant export point. Irvine was recorded as sending goods to Ayr and Dumbarton, Ayr sent goods to Dumbarton, goods from Dumbarton were shipped from Kirkcudbright, and Wigtown's goods went to Ayr. The small number of ships visiting the West coast may have encouraged burghs to send their exports to whatever ships there were, wherever they docked.<sup>55</sup> In Ayr's 1558 particular account, customed goods were sent, by boat, to ships at Cumbræ and the Gareloch. The remainder of the goods was loaded into four Breton vessels, which were at their "first passing".<sup>56</sup> Towards the close of the sixteenth century small quantities of goods were sent to the East coast. Edinburgh's customars extracted additional duties on goods customed at Dumfries in the early 1570s,<sup>57</sup> which may have been English imports, because Edinburgh's 1590 entry book of cockets records the receipt of lamb, rabbit, otter, fox, and marten skins, and cloth customed at Dumfries, all of which were "Inglis gudis".<sup>58</sup> There is, however, a solitary reference to West coast exports in the Edinburgh entry books of cockets, when, in 1596, Dumbarton sent 12 lasts of herring to the burgh.<sup>59</sup>

#### (b) Inward Movement of Customed Goods

(i) EDINBURGH. It is obvious that substantial quantities of customed goods were taken to Edinburgh to be exported via its port at Leith. In 1328 and 1329 Linlithgow, Stirling, and Inverkeithing sent considerable proportions of their goods to Edinburgh, and in addition the burgh received goods from Dunfermline, Lochmaben and Tarbert. The quantities were insignificant in comparison with Edinburgh's own exports. In the two accounts Edinburgh's customs were over £700 while customs from the other burghs were £63. In the final third of the fourteenth century, as trade boomed, neighbouring burghs may have sent a smaller proportion of their goods to Edinburgh. This was reversed from at least the middle of the following century. Edinburgh received large quantities of goods from neighbouring burghs,

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<sup>55</sup> The custom accounts in the fifteenth century generally record only two or three ships per year. There was a single ship at Ayr in 1417, 1428, 1434, 1476; Irvine 1448, 1464, 1476-77; Dumbarton 1435, 1451, 1468; Kirkcudbright 1496-97; Wigtown 1486, 1497-98. Two ships at Ayr 1468; Kirkcudbright 1460, 1501; Wigtown 1480, 1489, 1501. "Several" ships at Ayr 1469, 1477, 1479; Dumbarton 1467; Kirkcudbright 1434, 1437, 1475, 1479. Additionally three ships at Ayr 1426, seven at "Lowes" in 1491, and five at Kirkcudbright 1435.

<sup>56</sup> NAS, E.71/3/1.

<sup>57</sup> A. Murray, "The Custom Accounts of Dumfries and Kirkcudbright, 1560-1660", p. 114.

<sup>58</sup> NAS, E.71/32/10, f. 4v.

<sup>59</sup> NAS, E.71/32/13, f. 9.

as well as goods from the Tay and perhaps even the more Northerly burghs. It is, however, impossible to quantify the levels in these periods.

A more detailed analysis can be made about the quantity of goods exported from Edinburgh, and how it compares with the Edinburgh's own customs, by using Edinburgh's sixteenth century entry books of cockets. The figures must be treated with care, yet general trends are clear and are given in Tables 4-9 to 4-14. Edinburgh received small quantities, compared with her own customs, of wool, woolfells, hides, and cloth (and miscellaneous fells) mainly from the burghs around the Forth. Edinburgh already dominated the trade in these commodities, and these receipts only intensified this position. The amount of customed fish arriving at Edinburgh's jurisdiction throughout the sixteenth century was substantial, especially compared with the burgh's own relatively small exports. It is conceivable that, as a result, Edinburgh dominated the shipping of salmon, and, to a lesser extent, herring and cod. Herring and cod arrived primarily from the Pittenweem Group; salmon and occasionally herring came from the Tay and Northern ports. The Northern ports sent large amounts of salmon and herring in the 1560s, though figures for this period are unreliable and have not been included. In the final decades of the century, Scottish fish exports declined, and similarly the quantity sent to Edinburgh diminished. The quantity of salt and coal taken to Edinburgh to be exported was minuscule. This seems to be one area of trade, which the burgh did not monopolise in terms of customs or shipments. References elsewhere, however, reveal that Edinburgh's merchants, while not in a dominate role, were clearly actively involved in shipping coal and salt directly overseas from Culross and Prestonpans.<sup>60</sup>

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<sup>60</sup> In 1576 nearly 30% of the salt exported from Prestonpans was exported by Edinburgh/Leith merchants, or in a vessel from Leith, or under the direction of a skipper from Leith. NAS, E.71/23/1. Edinburgh and Leith merchants accounted for over 20% of the salt exported from Culross in 1580. Their involvement in coal exports is impossible to determine but it appears to have been small. Ten years later the involvement of merchants, skippers and vessels from Edinburgh and Leith in Culross's salt and coal exports was minuscule. It appears the trades were dominated by foreign merchants and vessels. E.71/7/1, 4.

**Tables 4-9 to 4-14: Goods Via Edinburgh Compared to Edinburgh's Exports**

**Table 4-9: September 1510-May 1511**

<i>Commodity</i>	<i>Non-Ed.</i>	<i>Ed.</i>	<i>Shipped Ed.</i>	<i>% Non-Ed.</i>
Wool (sacks)	40.8	261.8	302.6	13.5
Woolfells (no.)	8,100	22,020	30,120	27
Hides (dakers)	358.9	1,401	1,760	20
Cloth (dozen)	481	744.1	1,225.1	39
Salmon (barrels)	506	16	522	97
Herring (barrels)	145	126	271	53.5
Cod (no.)	1,440	1,440	2,880	50
Oil (barrels)	0	25	25	0
Salt (chalders)	36	0	36	100
Coal (chalders)	0	0	0	-

*Source:* NAS, E.71/29/2.

**Table 4-10: October 1512-June 1513**

<i>Commodity</i>	<i>Non-Ed.</i>	<i>Ed.</i>	<i>Shipped Ed.</i>	<i>% Non-Ed.</i>
Wool (sacks)	68.1	66.3	134.4	51
Woolfells (no.)	5,040	12,180	17,220	29
Hides (dakers)	267.7	781.6	1,049.3	25.5
Cloth (dozen)	407.3	1,327.7	1735	23
Salmon (barrels)	1,564	378	1942	80.5
Herring (barrels)	18	673	691	3
Cod (no.)	3,600	9,180	12,780	28
Oil (barrels)	0	2	2	0
Salt (chalders)	7	30	37	19
Coal (chalders)	0	12	12	0

*Source:* NAS, E.71/29/3 (folios missing for the start of 1513).

**Table 4-11: July/August 1527-May/July 1528**

<i>Commodity</i>	<i>Non-Ed.</i>	<i>Ed.</i>	<i>Shipped Ed.</i>	<i>% Non-Ed.</i>
Wool (sacks)	37.4	690.3	727.7	5
Woolfells (no.)	8,020	57,130	65,150	12
Hides (dakers)	298.5	1,611	1,909.5	16
Cloth (dozen)	566.3	7,328	7,894.3	7
Salmon (barrels)	948.5	39	987.5	96
Herring (barrels)	786	374	1,160	68
Cod (no.)	3,000	2,880	5,880	51
Oil (barrels)	0	0	0	-
Salt (chalders)	0	146.5	146.5	0
Coal (chalders)	0	123	123	0

*Source:* NAS, E.71/29/4; Custom accounts, Appendix 1, pp. 408-9.

**Table 4-12: September 1538-August 1539**

<i>Commodity</i>	<i>Non-Ed.</i>	<i>Ed.</i>	<i>Shipped Ed.</i>	<i>% Non-Ed.</i>
Wool (sacks)	40.75	945	985.75	4
Woolfells (no.)	9,895	94,560	104,455	9
Hides (dakers)	808.1	2,159.3	2,967.4	27
Cloth (dozen)	424.5	8,286	8,710.5	5
Salmon (barrels)	2,498	431.5	2,929.5	85
Herring (barrels)	271	842	1,113	24
Cod (no.)	2,520	6,180	8,700	29
Oil (barrels)	0	33	33	0
Salt (chalders)	30.5	123	153.5	20
Coal (chalders)	0	73	73	0

*Source:* NAS, E.71/32/1; Custom account, Appendix 1, pp. 411-2.

**Table 4-13: September/October 1580-August 1581**

<i>Commodity</i>	<i>Non-Ed.</i>	<i>Ed.</i>	<i>Shipped Ed.</i>	<i>% Non-Ed.</i>
Wool (sacks)	0	316.75	317.75	0
Woolfells (no.)	5,340	97,530	102,870	5
Hides (dakers)	180.2	1,761.5	1,941.7	9
Cloth (dozen)	191	4,073	4,264	4
Salmon (barrels)	260	140.5	400.5	65
Herring (barrels)	361	407	768	47
Cod (no.)	3,600	4,620	8,220	44
Oil (barrels)	34	208	242	14
Salt (chalders)	5	5.25	10.25	49
Coal (chalders)	0	1001	1001	0

*Source:* NAS, E.71/32/9; Custom account, Appendix 1, pp. 414-5.

**Table 4-14: October 1589-October 1591**

<i>Commodity</i>	<i>Non-Ed.</i>	<i>Ed.</i>	<i>Shipped Ed.</i>	<i>% Non-Ed.</i>
Wool (sacks)	0	0	0	-
Woolfells (no.)	13,380	166,060	179,440	7
Hides (dakers)	105.5	2,569	2,674.5	4
Cloth (dozen)	280.3	10,177	10,457.3	3
Salmon (barrels)	674	546	1,220	55
Herring (barrels)	218	720	938	23
Cod (no.)	840	2,220	3,060	27
Oil (barrels)	16	274.5	290.5	5.5
Salt (chalders)	0	65.1	65.1	0
Coal (chalders)	0	1,780.5	1,780.5	0

*Source:* NAS, E.71/32/10-11; Custom accounts, Appendix 1, pp. 414-5.

*Notes:* These tables show Edinburgh's customs compared with the customed goods they received from other burghs. Years that are difficult to date, or whose dates do not correspond with the custom accounts, are not included. Miscellaneous skins, re-exports, tallow, and victual have been omitted.



(ii) DUNDEE. In the second half of the sixteenth century goods customed on the Fife coast, the Tay, and the Northern ports were taken to Dundee to be exported. The quantities involved were minor compared with Edinburgh's total, but were a greater proportion of the goods shipped from Dundee (Tables 4-15 and 4-16). Around half the woolfells, hides, and cloth shipped from Dundee were customed elsewhere. Significantly, a large quantity came from Perth. Roughly three-quarters of the fish exported were not customed at Dundee. Primarily these came from the Pittenweem Group and the Northern Ports. It is, unfortunately, not possible to determine when Dundee became actively involved in the shipping of goods customed elsewhere, or indeed when it became such an important element of their export trade. Moreover, it is not impossible that goods taken to Dundee, especially from Perth, may have subsequently been sent on to Edinburgh for export.

**Tables 4-15 and 4-16: Goods Via Dundee Compared to Dundee's Exports**

**Table 4-15: Ca. September 1554-August 1555**

<i>Commodity</i>	<i>Non-Dun.</i>	<i>Dun.</i>	<i>Shipped Dun.</i>	<i>% Non-Dun.</i>
Woolfells (no.)	9,190	7,440	16,630	55
Hides (dakers)	127.7	267	394.7	32
Cloth (dozen)	235	450	685	34
Salmon (barrels)	451.5	374	825.5	55
Herring (barrels)	565	51	616	92
Oil (barrels)	0	0	0	0
Salt (chalders)	0.5	0	0.5	100

*Source:* NAS, E.71/12/5; Custom account, Appendix 1, p. 387.

**Table 4-16: November 1575-November 1576**

<i>Commodity</i>	<i>Non-Dun.</i>	<i>Dun.</i>	<i>Shipped Dun.</i>	<i>% Non-Dun.</i>
Woolfells (no.)	9,304	7,965	17,269	54
Hides (dakers)	301.1	255.5	556.6	54
Cloth (dozen)	429.5	727	1,156	37
Salmon (barrels)	1,389	278	1,667	83
Herring (barrels)	590	171	761	77.5
Oil (barrels)	112	66	178	63
Salt (chalders)	3 (?)	12.5	15.5	19 (?)

*Source:* NAS, E.71/12/8; Custom account, Appendix 1, p. 387.

(iii) ABERDEEN. Throughout the fifteenth and, to a lesser extent, the sixteenth century, Aberdeen received goods, principally salmon, from the more northerly burghs. The quantities were always very small, and from the early sixteenth century at least, these

burghs were sending considerably larger consignments to Edinburgh to be exported. Yet an occasional boat load continued to arrive. Aberdeen's 1522-24 particular account records a variety of goods from Dundee, Perth and, more unusually, Edinburgh being sent to Aberdeen for export. This was presumably a result of the hostilities with England at the time rather than an established pattern.<sup>61</sup> None of the entries were large enough to have any great impact on Aberdeen's shipping trade, except perhaps the 363 barrels of herring received from Lochbroom in 1583.<sup>62</sup>

(iv) LINLITHGOW. In the early 1340s, Linlithgow received goods customed at Ayr. In the 1370s this trade was revived, and the quantities involved were considerable, although some of these goods also found their way to Leith. In the following two decades Linlithgow's accounts occasionally recorded all the cockets they received. These references indicate that goods had stopped arriving from the West coast, but a significant proportion of goods came from the Upper Forth, and some even from Edinburgh. After 1403, there are no further references to any goods being sent to Linlithgow's jurisdiction, either from the West coast or from neighbouring burghs. This may simply be the result of a lack of surviving evidence, but it is also conceivable that the trade had drastically reduced. As Linlithgow's exports fell, fewer and fewer ships visited the burgh's port at Blackness, and increasingly, the burgh's own goods were sent to Edinburgh by boat. By the middle of the fifteenth century all the Upper Forth burghs were predominantly sending their goods to Edinburgh to be exported.

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<sup>61</sup> In 1522 seven English vessels engaged in hostilities in the Forth. *E.R.* XIV, p. li.

<sup>62</sup> NAS, E.71/1/9, f. 17v.

## CHAPTER 5

### SMUGGLING AND FRAUD: THE LEVEL OF CUSTOM ABUSE

The Scottish customing procedure had a number of built-in checks to ensure that all customable exports were taxed and the revenue paid to the Crown.<sup>1</sup> That smuggling and embezzlement occurred within Scotland, however, is not in doubt. A sizeable body of legislation to prevent custom fraud exists, and there are numerous references to those caught in the act, though undoubtedly there was a higher incidence where perpetrators were not. The level of smuggling and custom evasion can, of course, have a significant bearing on the extent to which the custom accounts can be used to determine export levels.<sup>2</sup> The only previous attempt to analyse the impact was simplistic and seriously flawed.<sup>3</sup> This chapter will examine the evidence of these abuses and, tentatively, try to determine the extent of illicit exports.

#### I. TYPES OF CUSTOM EVASION AND EMBEZZLEMENT

There must have been a temptation for customars, like any royal officials receiving revenue, to collect duties and not pay the money to the Exchequer. This embezzlement would not necessarily be related to overseas trade, but it would affect the custom figures. To ensure that discrepancies in their particular accounts were not instantly obvious, the jurisdiction's customars, clerks of cocket, and searchers would have had to collude. Such a scheme was attempted, and thwarted, at Haddington in 1495. The customar and the clerk of cocket were

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<sup>1</sup> This is discussed in detail in Chapter 2, pp. 20-46

<sup>2</sup> This has been admirably demonstrated at Bristol in the middle of the sixteenth century by E.T. Jones, "Illicit Business: Accounting for Smuggling in mid-sixteenth-century Bristol", *Economic History Review*, Second Series, LIV (2001).

<sup>3</sup> I. Guy used Sir John Skene's quote that at the close of the sixteenth century the King's custom revenues were "prejudiced by £10,000 yearly", as evidence of smuggling. She misquoted the figure as £1,000 and compared it to the 1583-89 custom lease of the realm, which was set at £4,000, thereby concluding corruption was roughly 20% of total trade. This was a huge quantity, but one which she felt did not invalidate the custom figures, as the level would have been constant. Skene's estimate, however, was actually dealing with low custom rates rather than smuggling. I. Guy, *The Scottish Export Trade, 1460-1599, from the Exchequer Rolls* (unpublished St Andrews M.Phil. Thesis, 1982), pp. 24-5; A.L. Murray, "Sir John Skene and the Exchequer, 1594-1612", *Miscellany One* (Edinburgh: Stair Society, vol. 26. 1971), p. 145.

convicted of customing seven sarplers and two pokes of fells, and a pack of cloth without entering them in their respective accounts. This was equivalent to £6 of customs revenue, roughly 5% of the revenue they should have declared.<sup>4</sup> As a punishment they were fined £1,440- a penalty of £1 for each 1d. of custom revenue embezzled- and were imprisoned in Edinburgh castle, at their own expense, until the fine was paid.<sup>5</sup>

The extent of embezzlement by Scottish customars cannot be gauged. The lack of surviving evidence of officials being caught, could be interpreted as their success or alternatively the limited prevalence. Presumably the stiff penalty, and the need to collude with all the other custom officials in the jurisdiction must have acted as some deterrent. In addition local merchants might well report these schemes if they themselves did not accrue any benefits. Dundee merchants complained, for instance, that more customs had been taken from them than came to the king's profit, though the officials were later exonerated.<sup>6</sup> Embezzlement on a grand scale may not have been great in normal circumstances. In periods of administrative weakness, however, it may have been more pronounced.

There are considerably more references to merchants, with or without the help of custom officials, attempting to evade custom duties, than to the custom officials themselves embezzling funds. Preventative legislation suggests the schemes took on a number of different forms.

Merchants could try to export more than the quantity actually customed, a practice more likely to be successful if the custom officials had been bribed. In 1587 it was recorded that customars and searchers had allowed forbidden goods to be exported in return for "gratitude gevin to tham". Six years later any customar or searcher suffering or overlooking forbidden or uncustomed goods was to be deprived of his office and all his movable goods escheat.<sup>7</sup>

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<sup>4</sup> *E.R.*, X, pp. 535-7. They were in fact initially accused of defrauding the customs on nine sarplers and four pokes of fells, and two packs of cloth.

<sup>5</sup> In Haddington's 1490 account, the customars, including Cockburn, were charged an additional £5 of custom for 16 sarplers of fells included in the cockets but not in the custom account. Could this have been an initial attempt at embezzlement? *E.R.*, X, p. 234. A possible further example may be the 19 sacks of wool which were weighed at North Berwick, but improperly removed from Belhaven, for which offence the customar and clerk of cocket of Dunbar were to be imprisoned at Stirling Castle. *E.R.*, III, pp. 383-4.

<sup>6</sup> *A.D.C.P.*, pp. 500, 507-8.

<sup>7</sup> *A.P.S.*, III, p. 460; IV, c. 15, p. 18. Sir John Skene, Clerk Register, stated customars and merchants "aggreis amangis thame selfis" to underestimate the quantities in packs of skins and webs of cloth. It is not known if the customars received any kick-back for this, or if it was merely done for



Goods could be smuggled from remote areas some distance from the main burgh in the custom jurisdiction. In 1370, for instance, a new custom jurisdiction had to be established at Dunbar, because the customars of Haddington were too far removed from the Marches to prevent merchants from Berwick, Roxburgh (then under English control), and England exporting wool, hides, and other goods, uncustomed.<sup>8</sup> In the sixteenth century legislation frequently alluded to goods being exported from unfree areas without paying duties. In 1575 vessels were said to be daily loaded in the Narrows of the Forth to the defraud of the customs and to the hurt of the commonweal. Two years later it was noted that victual exports evaded customs by being loaded at certain streams, creeks, and burns in the Forth and Tay and other unlawful places.<sup>9</sup> Such references must be treated with a little scepticism. They were partly motivated by the desire of royal burghs to maintain their trade monopoly, so the extent of fraud was highlighted, and perhaps overstated, in an attempt to gain a favourable hearing from the Crown. Similar motivation may have been behind Wigtown's complaints, in the first half of the sixteenth century, that Whithorn was defrauding the Crown's customs by drawing ships away from their burgh to the Isle of Whithorn. The actual impact of this on the great customs must have been minimal, for Whithorn was within Wigtown's custom jurisdiction. The complaints were merely an effort to gain the Crown's favour in the real point at issue- trading rights.<sup>10</sup> Goods nonetheless were doubtless smuggled from remote or unfree areas to avoid the customars' gaze. The sheer size and weight of the majority of Scottish goods must have restricted the activity, for proper port facilities would have been needed, unless a laborious system of small boats carrying small consignments to larger vessels was used. The small area of most custom jurisdictions also provided deterrent, as custom officials would know exactly what was going on within them. As in most other attempts to evade custom duties, success relied on offering sufficient bribes to the officials and hoping there were no private informers with good eyesight and loose tongues.

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convenience. An act in 1581 refers to the practice of under-customing. It demanded that each sack of wool should contain only 24 stone, each hundred skins six score, and every dozen of cloth 12 ells only. *A.P.S.*, III, c. 12, p. 216. A.L. Murray, "Sir John Skene and the Exchequer, 1594-1612", p. 145.

<sup>8</sup> *R.M.S.*, I, no. 340; *Charters and Writs Concerning the Royal Burgh of Haddington, 1318-1543*, edited by J. Wallace-James (Haddington, 1895), pp. 4-5.

<sup>9</sup> *R.P.C.*, II, pp. 446, 609.

<sup>10</sup> Murray noted that, in 1532, Wigtown complained that "the King had been defrauded of 2,000 merks for the great customs, and Wigtown of 3,000 merks for petty customs" by Whithorn. In actual fact, the action presumably referred to merely states that "damages between 2,000 and 3,000 merks were claimed" by Wigtown. A.L. Murray, "The Custom Accounts of Kirkcudbright, Wigtown, and Dumfries, 1434-1560", *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, Third Series, XL (1963), p. 159. *Wigtownshire Charters*, edited by R.C. Reid (Edinburgh: Scottish History Society, Third Series, vol. 51. 1960), pp. 140-2, 144-5.

Edinburgh often complained about the customs being defrauded through goods being packed and exported from Leith, claiming that the inhabitants sold goods to foreigners without being checked by the customars.<sup>11</sup> Edinburgh's complaints were certainly partly motivated by an attempt to enforce control and dominance over their port at Leith. The surviving legislation, however, does highlight the propensity of foreign merchants to leave without paying custom duties, especially when they visited unfree areas. An act of 1563 bemoaned the damage done by strangers resorting to unfree ports, purchasing goods and departing without paying customs.<sup>12</sup> Foreigners, like the sailors of Prussia who departed from Edinburgh in 1389 without a cocket, also figure prominently in cases of those brazenly evading customs.<sup>13</sup> Custom evasion was less risky for foreign than native merchants. Arresting them was difficult; they had only really committed a crime once they had departed, and if sensible they would not return.<sup>14</sup> A native merchant convicted of evading customs would have all his movable goods confiscated, a punishment that was impossible to impose on a foreign merchant based overseas. In an effort to prevent this abuse it was enacted that foreign merchants were to take their lodging in the principal town of the port. If they departed without paying customs, the host of the inn where they lodged was to be answerable for the customs on their goods.<sup>15</sup> This was to ensure that those with first hand knowledge of the foreigners' movements would inform on them if they attempted to evade custom duties. It added an extra defence mechanism against the more brazen evasions, but it cannot have prevented foreigners illicitly loading goods at remote creeks, though the scale may have been limited by the lack of port facilities. While it is impossible to establish the extent of custom evasion by foreign merchants, it cannot have been great. The sixteenth century particular accounts show legal exports by foreigners were a minuscule proportion of Scottish trade. Even if many more of their exports went uncustomed, which is unlikely, it would not have had a significant impact on the recorded trade.

A slightly more sophisticated fraud involved forging cockets for one custom jurisdiction and presenting them elsewhere, as evidence that customs had been paid. A

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<sup>11</sup> *R.P.C.*, II, pp. 446, 609. *Charters and Other Documents Relating to the City of Edinburgh, A.D. 1143-1540*, edited by J.D. Marwick (Edinburgh: Scottish Burgh Records Society, vol. 7. 1871), no. 60. *A.P.S.*, II, c. 12, p. 234; c. 44, p. 246; c. 34, p. 253.

<sup>12</sup> *A.P.S.*, III, c. 57, p. 42.

<sup>13</sup> *E.R.*, III, pp. 186-7, see also *E.R.*, IX, pp. 542-4; X, pp. 381-2; *A.D.C.P.*, p. 637.

<sup>14</sup> The ship of Arnold of Gascon, however, was arrested after exporting herring uncustomed from Dumbarton because she docked at Ayr. The reason for her entering Ayr is not recorded. *E.R.*, IX, pp. 542, 544.

<sup>15</sup> *A.P.S.*, II, c. 12, p. 234.

number of merchants, for instance, were caught presenting improper cockets of Elgin and Forres at Aberdeen in 1505. In 1494 Aberdeen also declared a cocket of Dundee was falsified. Likewise, in 1538, the Laird of Anstruther's son was accused of the "falsing of ane coquete".<sup>16</sup> The success, or lack of it, depended on the degree of authenticity of the cocket, and, importantly, relied on auditors of the Exchequer not cross checking the fake cockets against the accounts of the original custom jurisdiction. Bribing custom officials would be futile; the customar in the original office would still have to explain to the Exchequer the reason for the goods not appearing in his accounts. Bribing all the custom officials in the second office to ignore the cocket and not present it to the Exchequer would defeat the attempt to deceive them with a false cocket in the first place. Perhaps a more successful ploy would be to falsify the cocket for a custom jurisdiction that was not accountable to the Exchequer, like Dunfermline Abbey.

Whether a merchant attempted to evade the custom duties or not was determined by a trade-off between the possible gains and the risks and punishments. There was little point in evading a small custom duty if there was a strong possibility of being caught and heavily punished. Bribing the custom officials offered the safest chance of successful evasion, but these bribes were presumably not cheap. A higher custom rate, however, might have tipped the scales and the possible gains would begin to outweigh the risks.

## II. CUSTOM EVASION: THE EVIDENCE OF CAUGHT CASES

Attempts to determine the exact level of Scottish custom evasion are futile. There are numerous references in the custom rolls, the treasurer's accounts, and various other sources to those caught attempting to smuggle goods. These scattered examples are unlikely to represent anything like the total number of caught cases. It is not clear which court or body convicted smugglers, and there is not a comprehensive record of all those accused or convicted. More importantly, such references only record instances in which the smuggling was detected. The sources are understandably silent about those successfully evading duty. Bearing in mind their deficiencies, the evidence of caught cases can be tentatively used to try to establish when evasion was most common, and the extent to which this invalidates the custom figures.

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<sup>16</sup> *T.A.*, VI, pp. 440-1.

#### (a) 1327-1406

In 1337 ten ships left Aberdeen in haste without paying custom duties, due to the “threat of the enemy”, and in 1342 a payment was made to examine ships at Aberdeen to detect fraud. These are the only references relating even vaguely to custom evasion in the earliest surviving custom rolls.<sup>17</sup> In stark contrast, there are a fair number of references to caught custom evasions from the early 1360s. In 1365 Peter Ferdall secreted away three dakers of hides from Stirling without obtaining a cocket, and in the following year the Chamberlain received £8 14s. 11d. as the escheat of uncustomed wool at Edinburgh.<sup>18</sup> Most of the cases concerned Edinburgh and Linlithgow. In 1376 a person departing uncustomed was purged by an assize at Edinburgh. In the same year Linlithgow’s account mentions that over 9 sacks of wool, 430 woolfells, and 20 dakers of hides in Peter Smith’s ship and belonging to a burgess of Linlithgow were uncustomed and were to be sold for the King’s use. The customars of Edinburgh were unable to prevent sailors of Prussia exporting a number of hides without a cocket in 1389. Two years later 2 sacks of wool and 270 woolfells that were not customed were confiscated and sold, together with the merchant’s consignment of shorlings (which at the time were custom free). Finally, in 1403, the 11½ dakers of hides that Thomas Gulyne of Edinburgh took from Blackness in a boat were not presented to be customed, for which he was to be arrested.

There are considerably more references to cases of caught custom evasion in the final third of the fourteenth century than earlier. Perhaps the administration had greater success in catching the perpetrators, for in 1364 measures were enacted expressly designed to prevent wool evading custom duties.<sup>19</sup> In all likelihood, however, the incidence of smuggling was probably higher. The quadrupling of the custom rates in the late 1350s and 1360s certainly gave a greater incentive. Moreover, the custom rates had become high in relation to domestic price. Edinburgh’s customar, in 1391, sold goods which had been caught being smuggled, and the prices received suggests the custom duties on wool and woolfells were about half the domestic price (or a third of the domestic price and the custom duty combined). In comparison, in the first half of the century the proportion had been less than 10%.<sup>20</sup> This represents a substantial rise and also tends to suggest that the burden of taxation

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<sup>17</sup> R. Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, 1978), p. 134; *E.R.*, I, pp. 449, 493.

<sup>18</sup> The Chamberlain’s 1365 account records the receipt of £39 as the escheat of a ship at Dundee, which may possibly refer to custom evasion. *E.R.*, II, pp. 220, 259.

<sup>19</sup> *A.P.S.*, I, p. 496.

<sup>20</sup> Using Gemmill and Mayhew’s medium prices for 1350-67, the original duties would be less than 10% of domestic price for wool and hides, and over 30% with the quadruple rates (hides 7.6% to 30.3%, and wool 9.6% to 38.3%). Custom duties thereafter remained the same, and the domestic price

was borne in Scotland, though it should be remembered that customs may have been a fairly small proportion of the final sales price in the overseas market.

The custom accounts from the final third of the fourteenth century also record a number of members of the higher nobility refusing to pay custom duties. In 1376-77 Sir Alexander Stewart, Lord of Badenoch did not pay £5 6s. 10d. in customs, and again withheld his customs in 1382, 1383, and 1385. In a similar manner the Earl of Moray was unwilling to pay customs on his goods in 1385, and the Earl of March did not pay custom duties on the 27 sacks of wool exported from Belhaven in 1392, or the 19 sacks exported from Dunbar five years later.<sup>21</sup> The question of legality is difficult. They may have seen these as their rights, even if the custumars did not take a similar view. Presumably the actions were in some way a response to the weak administrations of Robert II and Robert III. The nobles could bully their way into exporting goods free of customs, not only because they disliked the increased duties but simply because they could get away with it. This contempt for the royal administration can also be seen in the actions of some subjects, who extracted money directly from the custumars, occasionally by violent means. The Earl of Douglas, for instance, was bold enough to casually take £116 from North Berwick's custumar in 1391.<sup>22</sup>

It is impossible to quantify the level of custom evasion in the final third of the fourteenth century and the beginning of the fifteenth century. The surviving evidence of the caught cases suggests evasion may have increased, yet it remained at a low level. In total, all the examples of custom evasion from 1370 to 1410 were only 2% to 3% of a normal year's custom receipts. The raised custom duties and weak administration encouraged evasion, but it did not render it endemic.

#### (b) 1406-1424

The number of references to goods evading custom duties in ca. 1410-24 is greater than previously. Unlike earlier cases, the transgressors were neither caught, nor, indeed, did they make any great effort to conceal their activities. In 1409, for instance, 23 sacks of wool were

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of wool and hides did not change significantly until the 1430s. E. Gemmill and N. Mayhew, *Changing Values in Medieval Scotland: A Study of Prices, Money, and Weights and Measures* (Cambridge, 1995), pp. 278, 285.

<sup>21</sup> *E.R.*, II, p. 532; III, pp. 111-2, 291, 413.

<sup>22</sup> *E.R.*, III, p. 254-5. The Earl of Carrick also seized money from the custumars of Perth and Dundee in 1395, and in 1402 he (as the Duke of Rothesay) violently took money from Dundee's custumar, imprisoned Montrose's until he paid £24, and uplifted customs at Edinburgh. Two years later he took sums from the custumar of Aberdeen. *E.R.*, III, pp. 363, 549-50, 552, 599.



exported openly, in defiance of the customar, and, three years later, goods which had been arrested by Edinburgh's customars were broken free and exported. The Earl of Douglas, in 1413, was willing to have 4 of his 42 sarplers weighed at Edinburgh, but refused to pay customs on any of them. These blatantly illegal activities were concentrated at Edinburgh and Linlithgow, at least according to their customars, who listed in great detail those unwilling to pay customs, and the quantities they exported. Between 1408 and 1415 around 95 sacks of wool and 25 dakars were exported illegally. By 1416-18 the quantities had expanded to roughly 225 sacks of wool, 100 dakars and nearly 4,000 woolfells.<sup>23</sup> From this time to 1424, only 27 sacks of wool are recorded as being illegally shipped, a figure which under-represents the full extent. A number of the custom rolls have not survived, and Edinburgh's accounts do not list any transgressions because Sir William Borthwick, an associate of the illegal exporters, was appointed customar there in 1420.<sup>24</sup> These registered cases clearly underestimate the problem. In 1417 Edinburgh's customar complained that there were so many evasions done daily by so many others that he could not name them. Nevertheless, in 1418, by far the worst year, the 170 sacks of wool, 50 dakars of hides, and 960 woolfells exported without paying custom duties was still less than 8% of the total Scottish customed trade.

The weak Albany administrations must have been a key factor in the rise in custom evasion. No action was taken against the main perpetrator, the Earl of Douglas, and those who "sheltered under his wing". The Earl, together with his brother, James Douglas, the Lord of Seton, Lord Dundas, and Sir William Crawford account for the majority of cases. Among them they refused to pay customs on exports of roughly 180 sacks of wool, 1,800 woolfells, and 14 dakars of hides from 1408 to 1422. They made no great effort to conceal their activities and their blatant crimes went unpunished. In addition they forcibly extracted money from the customars, and even collected customs from merchants themselves. The amount taken in this way was considerably larger than the customs they evaded. The Earl of Douglas is reckoned to have forcibly taken about £5,000 from Edinburgh's customars in the second decade of the fifteenth century.<sup>25</sup> Annually the Regent would admonish Douglas and

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<sup>23</sup> The customars did not always record the exact quantities illegally shipped, since the goods were not presented for customs, and would sometimes merely note the number of containers or packages. For these calculations it has been assumed there were 240 woolfells per sarpler, 180 per sack, and 120 for the poke and pinnok; each sarpler of wool contained 30 stone, and each poke half this amount (Appendix 7, pp. 780-3). Unspecified entries have been considered to have been wool.

<sup>24</sup> Sir William Borthwick had in fact also participated in the illegal trade, e.g. see *E.R.*, IV, p. 144.

<sup>25</sup> R. Nicholson, *Scotland: The Later Middle Ages*, p. 255.

his allies, and take no further action.<sup>26</sup> The only result of the Edinburgh customars' constant complaints to the Exchequer about those refusing to pay customs and the unlawful extraction of money was their eventually dismissal from office. To add insult to injury, Douglas successfully petitioned Albany for his ally, Sir William Borthwick, to be installed in the post.

The time of the Albany governorships until the return of James I is characterised as a period of lawlessness and very weak royal administration. Powerful magnates, particularly the Earl of Douglas and his associates, held the royal administration in contempt and saw the customs as their own personal prerogative. They forcibly extracted money from merchants and custom officials, and waived away customars' demands for them to pay custom duties. The custom officials recorded who the transgressors were and the quantities involved, but no action was taken against them. The evidence suggests the quantity of goods uncustomed increased appreciably from the previous thirty years, but even during the worst excesses it remained a minor fraction of the customed trade.

#### (c) 1424-1550

On his return from captivity, James I clamped down heavily on the wayward nobility. References to their using the customs as their own private patrimony disappear completely. The custom accounts, likewise, do not record any instances of merchants being caught trying to smuggle goods until the final third of the fifteenth century. The lack of caught smuggling cases tends to suggest the incidence declined. Previously merchants could evade custom duty relatively easily if they were under the protection of powerful nobles; as that power declined, the risk increased, and so, no doubt, did the cost. Bribing custom officials would now offer the best chance of success. Furthermore, James I intensified the risk by declaring that anyone convicted of not paying custom duties would be banished,<sup>27</sup> while domestic price rises meant the custom duties, which were fixed, became less burdensome.<sup>28</sup> During James II's minority

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<sup>26</sup> The Earl of Douglas is recorded as taking unlawful sums in Edinburgh in 1409, 1415, 1417-22. A number of his servants and allies also took sums for him or under his protection. In 1415 a number, listed as his *ministri*, plundered the customs under his authority. These included James Douglas, Sir Walter Haliburton, Sir William Borthwick, Sir William Crawford, knight. Edinburgh 1407-9, 1412, 1414-17, Linlithgow 1410, 1413, 1415-20. Instances not connected with Douglas seem to be confined to the son of the Earl of March collecting his pension from Dunbar's customs directly from the merchants. Dunbar 1416-18.

<sup>27</sup> *A.P.S.*, II, c. 1, p. 15.

<sup>28</sup> In the mid-1430s the custom duties were, in effect, increased in line with the devaluation in currency. This lapsed after James I's murder, and thereafter the exercise was not repeated.

the nobility again raided the customs, but this was on a considerably smaller scale than during the Albany Governorship.<sup>29</sup>

In the final third of the fifteenth century the custom accounts contain a handful of references to those caught trying to evade custom duties. Robert Broune and his accomplices fraudulently exported woollen cloth from Inverkeithing in 1467. Ten years later, John Baxter's goods were to be escheat because he exported 48 fells from Cupar uncustomed, and John Halyman exported a pack of woollen cloth from Perth uncustomed in 1484. Dumbarton's customar, in 1487, estimated that 90 lasts of herring were contained in the three foreign ships which departed without paying any customs. In 1493 cod, herring, woollen cloth, hides, and other goods were taken from Pittenweem's custom jurisdiction by a number of people without being customed, and then sold to Frenchmen and Englishmen. The auditors decreed the offenders were to pay the King £107 5s. 7d. Rather than being the total of the customs evasion, this sum presumably refers to the £1 fine for each 1d. of custom duty evaded.<sup>30</sup> The fraud, therefore, amounted to merely 8s. 11d. of custom duty. In 1502 Inverness's account stated Gilbert Edmonston's ship departed without a cocket for seven lasts of salmon, one of which belonged to Gilbert and the remainder to the Duke of Ross. In addition there was a degree of doubt about the authenticity of cockets presented to custom officials in 1493, 1494, and 1505.<sup>31</sup>

It is interesting to note that the dominant commodities in these references were woollen cloth, salmon, and sea fish, rather than the traditional customable goods. The customs rates of these groups, as a percentage of the domestic price, were broadly comparable. Towards the close of the fifteenth and the start of sixteenth century the hide and wool customs as a percentage of domestic price were about 6% and 11% respectively; those for salmon and herring, at least, fell between these two percentages. It is impossible to know what type of cloth was exported, let alone its value.<sup>32</sup> Furthermore, custom duties for wool, hides, and salmon were less than 5% of the overseas sales price at the close of the fifteenth

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<sup>29</sup> In 1445-46 James Douglas, Earl of Angus, took money by force from the customars of North Berwick. In 1455 he repeated this act after imprisoning them. In 1451 Edinburgh's customar was not charged with customs on the hides belonging to the Lord of Cathcart, which were in Hugh Brok's ship, and which left, with the Earl of Douglas, without a cocket. *E.R.*, V, pp. 182, 277, 439; VI, p. 125.

<sup>30</sup> For examples of this amount being the fine for custom evasion see *E.R.*, IX, pp. 290-1; X, p. 537.

<sup>31</sup> This involved 7 barrels of salmon at Perth 1493; £4 of customs, Aberdeen 1494; and 87 barrels of salmon and 2 dakers of hides, Aberdeen 1505. *E.R.*, X, pp. 383, 462; XII, p. 378.

<sup>32</sup> E. Gemmill and N. Mayhew, *Changing Values in Medieval Scotland*, pp. 278, 285, 310, 322-3.

century.<sup>33</sup> The custom evasion may have been the result of the re-introduction of customs on woollen cloth from the 1450s, and on salmon and sea fish from the late 1460s. The introduction of even a small custom duty may have affected the viability of the trades, and hence given an incentive for some merchants to smuggle. The quantities involved, however, in every case, with the exception of the herring at Dumbarton, were insignificant.

References to uncustomed goods being caught disappear from the custom accounts from the early sixteenth century. This is a limitation of the source. Various other sources (which become more abundant in the sixteenth century) record a small number of cases. The Lords of Council, in 1524, called before them a number of merchants from Irvine, accused of defrauding the customs by exporting goods and selling them to Frenchmen.<sup>34</sup> The Laird of Anstruther's son was accused of the "falsing of ane coquete" in 1538.<sup>35</sup> Thomas Davidson in 1541 imported pewter vessels, lead, and other English imports without paying customs, and in the same year a ship left without a cocket and with uncustomed goods.<sup>36</sup> There may, of course, be more references, but it could tentatively be suggested that the limited number might genuinely reflect a small amount of caught cases, which might be due to a reduction in smuggling.

In the final third of the fifteenth century the re-introduction of custom duties on a range of goods may have led to them being smuggled, although conceivably on a small scale. There are even fewer recorded cases of caught custom evasion in the remainder of the period 1424-1550. As the period progressed, and particularly throughout the sixteenth century, as prices rose the generally fixed custom rates became less burdensome.

#### (d) 1550-1600

In the fifteenth and the first half of the sixteenth century certain goods, because of their importance to the realm, were banned from being exported.<sup>37</sup> Smuggling was the only possible way to avoid the bans. In 1523, for instance, ships in Leith presumed to have tallow

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<sup>33</sup> The prices are based on Scottish produce sold in the Netherlands in *Halyburton's Ledger* (£1 groot has been considered to equal 4 merks Scots, as in October 1499, *Halyburton's Ledger*, p. 222).

<sup>34</sup> *Muniments of the Royal Burgh of Irvine*, edited by J.S. Dobie (Edinburgh: Ayrshire and Galloway Archaeological Association, 2 vols., 1890-1), I, no. 18.

<sup>35</sup> *T.A.*, VI, pp. 440-1.

<sup>36</sup> *A.D.C.P.*, p. 509.

<sup>37</sup> From the 1420s tallow exports were regularly prohibited. Hides were banned from export for two years in the 1480s. In the 1520s salt and victuals were not to be exported. For fuller discussions see pp. 151, 224-5, 251-5 below.

on board, were to be arrested.<sup>38</sup> Normally, however, licences to contravene the bans were issued at a price, a further temptation for illicit trade. In 1537-42 117½ barrels of tallow were legally exported, presumably under licence,<sup>39</sup> yet in 1537 and 1538 James Mowbray was paid to search for uncustomed Scottish tallow arriving at Dieppe. In 1538 it was stated that he had traced 130½ barrels of uncustomed tallow.<sup>40</sup> This may, or may not, have been over a number of years, but it still a very large quantity compared with the legal exports.

This system of banning the export of certain goods, but sometimes allowing them to be exported with a licence, became more extensive, and involved considerably more commodities, in the second half of the sixteenth century. Tallow, corn, meat, sea fish, livestock, hides, wool, skins, great coal, salt, iron ore, linen cloth, butter, shoes, and gunpowder were all at some stage banned or had export restrictions placed on them.<sup>41</sup> By the 1560s, legislation commonly simply used the term “forbidden goods” for those commodities which were banned or forbidden to be exported. A number of the bans and restrictions could still be circumvented with a purchased export licence and payment of the custom duties.<sup>42</sup> This system must have encouraged smuggling, either when outright bans prohibited all exports, or when licences were issued, with the cost giving an incentive to export goods illegally.

In the second half of the sixteenth century numerous cases survive of merchants being caught trying to export “forbidden goods” during outright bans, or without licences when exports were permitted. There are constant allusions to the illicit trade in tallow. Licences were not issued for tallow and it was repeatedly banned from being exported.<sup>43</sup> Great coal was banned from being exported from the 1560s, although Culross seems to have

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<sup>38</sup> *T.A.*, V, p. 218.

<sup>39</sup> The export of tallow was banned in 1538 under the pain of escheat and a £10 fine for each barrel, and Parliamentary bans were repeated in 1540. *A.D.C.P.*, p. 474; *A.P.S.*, II, c. 44, p. 378.

<sup>40</sup> *E.R.*, XVIII, pp. 49, 61.

<sup>41</sup> The only significant commodities not to be affected were woollen cloth, salmon, woolfells, and re-exports.

<sup>42</sup> In 1583 it was stated that salt exports were to pay 3s. 4d. per chalder for a licence, over and above the great customs, which were 4s. per chalder. *A.P.S.*, III, pp. 638-40. There are also references to salt, wheat, and malt being exported by with a licence and paying custom duties. Pittenweem Group 1554, Edinburgh 1554. NAS, E.71/6/8, f. 7v.; 6/9, f. 7; 30/26, f. 43; 30/29, f. 54. Ironically, lists of custom duties for forbidden goods were drawn up. NAS, E.75/11. *A.P.S.*, IV, c. 25, p. 137.

<sup>43</sup> *R.S.S.*, V, nos. 1815-6. *T.A.*, XI, p. 287; XII, p. 364; XIII, pp. 48, 52, 56. *R.P.C.*, II, p. 190. *Edin Recs.*, V, pp. 37, 127.



had a special dispensation. Again a number of attempts to evade the bans were thwarted.<sup>44</sup> Normally corn exports were banned entirely, though they were occasionally permitted with the purchase of a licence. During both scenarios merchants were caught engaging in illicit trade.<sup>45</sup> Elsewhere, the 1561 hide export ban failed because merchants exported more hides than allowed by their licences.<sup>46</sup> The goods of Thomas Henderson in Dysart were escheat since he exported linen cloth.<sup>47</sup> Beef exports were seized at the same time as tallow in the mid-1570s,<sup>48</sup> while salt-producing burghs appear to have contravened their export obligations in the 1570s.<sup>49</sup> There are, no doubt, instances of all the forbidden goods being smuggled at some stage.

Contravening export bans or evading the license system by necessity meant evading custom duties. Attempts to avoid custom duty in isolation, however, appear to be very limited in this period. James Andersoun, in Cupar, and Malcolm Wallace in Abernethy, in 1567, exported undeclared goods. In 1572 the custumar of Dundee complained that John Moncur exported white fish and victual without paying customs, and repeated the misdemeanour two months later when he exported fish to England.<sup>50</sup>

It is impossible to even begin to quantify the level of evasion. At this time it was rare for the references to the caught cases to give the quantities involved. By and large, most of the caught cases are for goods which were banned outright, for instance tallow, great coal, and at times corn and salt. These, like most Scottish exports, were bulky commodities and

<sup>44</sup> *T.A.*, XII, pp. 266-7, 364-5; XIII, p. 37. *Edin Recs.*, V, p. 127. There may have been more evasion than these caught cases suggest. The Convention of Royal Burghs constantly complained about the export of great coal in the 1590s, and cited burghs they suspected of tolerating illegal exports of it. See Chapter 11, p. 236.

<sup>45</sup> There are references to persons caught without licences in the early 1570s. *T.A.*, XII, p. 271, XIII, p. 319. There are a number of instances where merchants were caught trying to evade the outright corn export bans between 1572-76. *T.A.*, XII, pp. 300, 364, 381, 389; XIII, p. 15; *NAS*, E.71/6/6, f. 8v. In 1577 licences to export corn were granted, but merchants exported more than the licence permitted and/or smuggled it from remote locations. *R.P.C.*, II, p. 609. The following year exports were yet again prohibited, and during the 1580s there was a whole series of bans. During the corn scarcities in 1591/2 and 1595 Edinburgh's burgh council made strenuous efforts to prevent the export of victual. Ships were searched, some had to be arrested, and merchants were made to give surety that they would not export any corn. *Edin. Recs.*, V, pp. 54-5, 61, 70, 127, 131-4, 138, 143, 145, 165, 341.

<sup>46</sup> *R.P.C.*, I, p. 285.

<sup>47</sup> *R.S.S.*, VIII, no. 1657.

<sup>48</sup> *T.A.*, XIII, pp. 47, 48, 52.

<sup>49</sup> See Chapter 10, pp. 225-9.

<sup>50</sup> *T.A.*, XII, p. 9. *R.P.C.*, II, pp. 141-2. In the early 1580s, merchants of Dumfries apparently were exporting goods without paying customs. This appears to have been a weakness in the jurisdiction's customs administration. A.L. Murray, "The Custom Accounts of Dumfries and Kirkcudbright, 1560-1660", *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, Third Series, XLII (1965), p. 115.

the potential to secretly smuggle them would be limited. Bribes would have to be made to custom officials, but moral disapproval of exporting vital goods during shortages would give an incentive to report the offenders. Another, perhaps more realistic, incentive was the reward of a percentage of any seized goods. The numbers of those caught trying to evade outright export bans may reflect the low success rate of the crime. Abuse of the licensing system may have been greater. It could, with the help of a bribe, be done relatively easily, and knowledge of the offence would be kept to a minimum. Trying to quantify the abuse is impossible, and all that can really be said is that we know it occurred.

### III. CONCLUSION

The available Scottish sources cannot be used to determine the exact extent of smuggling and custom evasion. It can be assumed, and hoped, the level was not great enough to seriously distort the custom figures. Generally, the risks associated with the illicit trade must have far outweighed any potential gains from the illegal actions. Custom duties, overall, were low in comparison to price, and must have represented a minor proportion of the final sales price. By and large domestic prices rose while custom duties remained fixed. The sheer bulkiness of most of Scotland's exports, in relation to their value, would seriously hinder attempts to illicitly export them on any sizeable scale. Presumably the best chance of successfully evading duties was to offer sufficient bribes to all the custom officials.<sup>51</sup> This in itself would not be cheap, and it would not prevent a private informer from coming forward, tempted by the prospect of the reward- a third or half of any seized goods. Furthermore, the punishments for those convicted were harsh, varying from extremely heavy fines on all the perpetrators, to their goods being sequestered, and even, theoretically, to their banishment.

These factors may have limited large-scale smuggling. The surviving examples of caught cases represent a minuscule proportion of the customed trade; it should be remembered, however, that they do not record all the caught smuggling ventures. This pattern corresponds closely with Carus-Wilson and Coleman's findings for English wool and cloth exports. They assumed that wool, due to its high custom duty, was more likely to be

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<sup>51</sup> It has been argued that the English customs administration with its proliferation of officials made smuggling and fraud not so much difficult as costly. M.M. Postan, *Medieval Trade and Finance* (Cambridge, 1973), pp. 356-7. In Scotland similar customing procedures were employed. The only significant difference was that the inspection of goods arriving in overseas markets was not so well developed.

smuggled than cloth. The total of the caught cases of wool smuggling brought before the Exchequer court between 1275-1546 was only 0.15% of the legitimate trade.<sup>52</sup> The authors conceded that the incidence of smuggling, however, would vary according to changes in duty, the efficiency of the administration, and whether exports were prohibited. Recently E.T. Jones has shown that Bristol's illicit trade in grain and leather boomed in the middle of the sixteenth century because of the high export taxes and licence requirements.<sup>53</sup> These conclusions appear to be equally true in Scotland. It has been shown that there was an increased number of caught cases after the custom duties were increased four-fold in the 1360s, and again following the re-introduction of customs on a variety of goods in the 1460s. Similarly, in the second half of the sixteenth century, as more and more goods were banned from being exported, or merchants were required to purchase licences, there was a rise in the number of unsuccessful attempts to smuggle goods. Avoiding outright bans or licences meant also evading customs, but this was merely incidental. Indeed legislators' minds only returned to primarily preventing custom evasion from the late 1590s, when custom rates were increased dramatically for some goods, and import duties were for the first time applied. Scottish smuggling must also have been particularly prevalent during periods of weak administration, especially those associated with royal minorities. It is unlikely, however, that the scale of evasion seen during the Albany regency was repeated. The caught cases can only record part of the story, but even if the actual level were many times greater it is unlikely to seriously distort the overall custom figures. Smuggling was never a constant proportion of legitimate trade, but at the very least, the caught cases highlight periods in which there was a greater propensity to evade customs on certain goods. Custom figures at these times ought to be treated with care and suspicion.

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<sup>52</sup> E.M. Carus-Wilson and O. Coleman, *England's Export Trade, 1275-1547* (Oxford, 1963), note 5 on p. 2.

<sup>53</sup> E.T. Jones, "Illicit Businesses: Accounting for Smuggling in mid-sixteenth-century Bristol", p. 26.

## **B. COMMODITY CUSTOM PROCEDURES**

## CHAPTER 6

### WOOL, HIDES, WOOLFELLS, AND MISCELLANEOUS SKINS

*There are... so many oxen, and so many flocks of sheep, that wonder arises in the beholders, on account of the multitude of them.*

*Nicander Nucius 1545<sup>1</sup>*

The first surviving custom accounts, 1328-33, and scattered references before this, show that the Scottish custom system was established specifically to levy duties on hide, woolfell, and, most importantly, wool exports. In the 1420s and 1430s a new range of customable goods was introduced, including duties on various other sheep and lamb skins, and wild animal pelts. This chapter will examine the customs on the vital wool, woolfell, hide, and miscellaneous fell exports.

#### I. WOOL

The custom system was initiated primarily to custom wool. Consequently the custom administration for wool exports was comprehensive and constant throughout the period of the surviving accounts. Bales of wool exports were weighed accurately on the jurisdiction's tron.<sup>2</sup> The degree of precision in the weighing and customing may have slipped only slightly over time. Wool was customed to the nearest half stone until the middle of the fifteenth century,<sup>3</sup> and thereafter was always to the nearest stone. In 1581 customars were evidently under-recording wool exports, for it had to be decreed that each sack, or more correctly a sack-weight, of wool was to contain only 24 stone.<sup>4</sup> There was a considerable degree of continuity in the custom duties levied on wool. In the 1328-33 custom accounts wool was

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<sup>1</sup> *Early Travellers in Scotland*, edited by P. Hume Brown (Edinburgh, 1973), p. 60.

<sup>2</sup> The increase in custom duties in the late 1350s may have stimulated evasion of duties, for tron and tronar were given greater official recognition from 1364. A competent person was to attend the weigh house on behalf of the Crown, and each exporting burgh was to have its own tron to weigh wool, while the Crown was to pay each tronar 1d. per sack of wool weighed. *A.P.S.*, I, p. 496.

<sup>3</sup> Occasionally there are references to quarter stones in the accounts, e.g. Aberdeen 1360, 1362, Stirling 1362.

<sup>4</sup> *A.P.S.*, III, c. 12, p. 216.



customed at 6s. 8d. per sack; in the late 1350s the custom duty was doubled, then tripled, and finally, in 1368, quadrupled to £1 6s. 8d. per sack. This rate remained unaltered, until being finally increased to £6 per sack in 1596-97.<sup>5</sup>

#### (a) Wool Export Bans

Occasionally wool was banned from being taken to England,<sup>6</sup> but it remained largely free from export regulations. In the final third of the sixteenth century, however, this changed and wool exports became the subject of a series of bitter disputes between various self-interested parties.

In January 1571 and February 1579 the Convention of Royal Burghs appealed to Parliament to ban the export of wool for three years. They reasoned that a ban would ensure the realm was adequately provided with wool, thus helping the craftsmen and poor labourers who were said to be in extreme poverty.<sup>7</sup> This has surprised and impressed some historians; I. Grant, for instance, wrote

These admirable sentiments come strangely from the merchant-ridden Convention, for the export of wool was one of the most valuable privileges of the merchants. It was far greater than that of cloth, and much of the cloth itself was of rural or suburban make.<sup>8</sup>

The Convention's aims, however, may not have been so benevolent and self-sacrificing as this interpretation suggests. It was stated that the King's customs would be greatly advanced by the wool export bans, presumably through increased cloth exports- a claim obviously designed to gain a favourable hearing from the Crown. In all likelihood, however, it was improbable that cloth could more than compensate for a cessation of wool exports. Shorn

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<sup>5</sup> It has been claimed the sack-weight was increased during James I's reign while the custom rate remained the same, in effect a reduction in customs. A.W.K. Stevenson, "Trade with the South, 1070-1513" in M. Lynch *et al.* (eds.), *The Scottish Medieval Town* (Edinburgh, 1988), p. 194. This, however, seems unlikely. Parliament merely stipulated the stone for weighing wool, and other gear, was now to contain 16 lbs. *A.P.S.*, II, p. 12. Such alterations to assize measures do not necessarily mean a change in weight. The weight of the custom sack may not have increased at all. There may, for instance, have been more assize lbs. to the stone, but they may have weighed less. In 1340, in England, for example, it was stipulated that the sack-weight of wool was to contain 26 stone of 14 lbs., rather than 28 stone of 13 lbs. The sack-weight, therefore, continued to weigh 364 lbs. R.D. Connor, *The Weights and Measures of England* (London, 1987), p. 131.

<sup>6</sup> In 1524 no one was to take wool, skins, cloth, or sheep and nolt into England, and in 1555 it was enacted that no person was to send wool, skins, hides or other staple customable goods by land into England. *A.P.S.*, II, c. 7, p. 290; c. 19, p. 496.

<sup>7</sup> *R.C.R.B.*, I, pp. 22, 75.

<sup>8</sup> I.F. Grant, *The Social and Economic Development of Scotland Before 1603* (Edinburgh, 1930), p. 463.

wool paid higher custom duties than the same quantity of wool manufactured into woollen cloth. For custom revenues to increase, therefore, the quantity of wool exported in the form of cloth would have to be considerably higher than the corresponding drop in raw wool. While it is unlikely that the customs revenues would be greatly augmented, the “merchant-ridden” convention presumably hoped cloth exports would expand as wool exports were banned. Perhaps the reasoning went along the lines that a ban would ensure there were greater and hence cheaper domestic supplies of wool, and there is certainly evidence that the price of wool was rising and that this had an adverse effect on the quality, and perhaps the price, of cloth.<sup>9</sup> The Convention claimed the ban was for the benefit of the craftsmen, but in fact the established craftsmen are likely to have suffered, as new urban or, more probably, rural textile workers would be employed, resulting in a loss of their bargaining power. More cloth would be made by more people, leading to the cloth market becoming more of a buyers’ market. Merchants would be in a position to pass on the reduced input costs to foreign buyers, which would stimulate an increased demand for Scottish cloth.

Parliament does not seem to have introduced these export bans, but the Convention was able to exert considerable pressure on its member burghs. After the proposed 1571 ban, wool exports at Edinburgh (the only burgh exporting shorn wool at the time) show a dramatic decline, which was reversed only after three years.<sup>10</sup> Following the proposed 1579 ban Edinburgh’s wool exports again fell heavy. In 1580 they were 70% lower than two years previously, although there was a recovery the following year. In both slumps woollen cloth exports at Edinburgh rose slightly. It is, however, difficult to know if the fall in wool exports was a result of some form of ban or if it was purely the result of market factors. The bans, after all, were likely to have been requested when prices were rising, which naturally restricted wool’s export potential.

In October 1581, in an effort to halt the outflow of bullion spent on expensive imported cloth, Parliament set a series of parameters on what clothing each estate of person

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<sup>9</sup> There were complaints about the “grite abuisse and imperfectiones” in cloth making. This can be attributed to the rising price of raw materials, and consequently a decline in cloth’s wool content, rather than a deterioration in the workers’ skills. In 1567 Parliament complained that cloth was to be in no way “flokkit”, a process designed to reduce the cloth’s wool content. *A.P.S.*, III, p. 41; I. Blanchard, *The International Economy in the ‘Age of Discovery’, 1470-1570*. Vol. I, *The English Merchants’ World* (forthcoming), pp. 228-9. In the same Convention that mooted the idea of a ban, it was noted that overseas buyers were complaining that Scots had been removing the haslocks and fine wool from their exported skins. *R.C.R.B.*, I, pp. 21-2.

<sup>10</sup> Edinburgh’s 1567-72 custom account shows 150 sacks of wool were exported per year. The surviving accounts from August 1573 to November 1574 include just over 100 sacks. In the three subsequent years the annual average was three times higher. Appendix 1, pp. 411, 414.

could wear. Moreover efforts were made to stimulate the native industry, so that persons would be virtuously employed making cloth rather than being left “wandering in begging”. The lower limits of the clothing parameters were deliberately the produce of the native cloth industry. With a more realistic chance of implementation, the act also banned wool exports. After the 1<sup>st</sup> of May 1582, no wool export licences were to be granted, and it was noted that even if a licence were obtained by some devious means, it was not to stand, and holders would incur the same pains as if they were exporting without a licence.<sup>11</sup> As a consequence, from August to October 1582, the main wool exporting season, no wool was customed at Edinburgh, although illegal wool exports by land to England occurred.<sup>12</sup>

In 1585 wool was described as one of the forbidden goods which people had been exporting under the King’s licence, causing a great hurt to the commonweal.<sup>13</sup> The customs of the realm were leased between 1582-89, making it impossible to know if wool was customed. In the first two years after the lease ended, wool did not appear in the accounts. In 1592 a minuscule quantity, 22 sacks, was customed at Edinburgh. Evidently by this time wool could be exported with a licence purchased from the Crown.<sup>14</sup> In 1593 Edinburgh’s wool customs were ten times the amount of the preceding year’s, causing concern for the Convention of Royal Burghs. In July 1594 the Convention heard a complaint that James Flemyng, who was described as a sometime burgher of Perth but now dwelling in Flanders, purchased for himself and his countrymen of Flanders an intolerable quantity of wool in various places, which he then exported. This was not allowed, since Flemyng had been deprived of his trading privileges because of his non-residency. Magistrates in each burgh were instructed to search and seek where he or any other of his rank had any wool to be transported. Any found was to be arrested until security was given that it was not going to be exported.<sup>15</sup> The legitimisation was Flemyng’s lack of trading rights, but it is obvious the concern was really about the “intolerable” quantities of wool he was exporting.<sup>16</sup>

By 1595 the Convention of Royal Burghs demanded that the magistrates in each burgh ensure the acts of Parliament against exporting wool be enforced, namely that no one

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<sup>11</sup> *A.P.S.*, III, c. 18, p. 220.

<sup>12</sup> *E.R.*, XXI, pp. 522-4.

<sup>13</sup> *A.P.S.*, III, c. 12, p. 379.

<sup>14</sup> In 1592 wool, sheep, and nolt were forbidden to be sent to England, notwithstanding the licences purchased or to be purchased. *A.P.S.*, III, c. 71, p. 577.

<sup>15</sup> *R.C.R.B.*, I, pp. 446-7.

<sup>16</sup> Edinburgh was the only burgh which customed wool at this time, but the complaint mentions that wool was gathered at various places, presumably referring to inland wool producing regions which did not have their own custom jurisdictions.

was to export wool by land or sea, with or without a licence. Anyone purchasing or using a licence was to have their wool confiscated and the “tynsell of tair fredomeis for euir”. The penalty for burghs not complying was the substantial fine of 500 merks.<sup>17</sup> At the same time Edinburgh burgh council ordained Clement Cer, and George Hereott, elder, to pass to the King and assist the remaining burghs in complaining about wool being exported, contrary to the acts of Parliament and the acts of the burghs.<sup>18</sup> The Convention re-affirmed the act at their next meeting, and made further efforts to lobby the King to ban wool exports.<sup>19</sup> The lobbying paid off. In May 1597 Parliament ratified and approved its own acts against exporting wool. Any licences or dispensations granted by the King were annulled, and it was agreed no further licences would be granted.<sup>20</sup>

The impoverished Exchequer, however, was not so willing to see the wool exports banned. Wool continued to be customed and export licences were purchased, primarily by the nobility, from the Receiver General.<sup>21</sup> The Exchequer may have demonstrated the importance of wool custom revenue to the Crown by dramatically increasing the custom duty. In the 1597 account wool was customed at £6 per sack, over four times the rate in place for the two preceding centuries. In November 1597 Parliament ratified this, stating that if wool was exported with a licence it should pay the new duty. Yet the same Parliament had also reaffirmed the act banning wool export and discharging licences.<sup>22</sup>

There followed a monotonous and long running dispute between the Convention and the Exchequer. Annually the Convention restated their acts requiring magistrates to ensure no wool was exported, and threatening any burgh failing to do this with a 500 merk fine. The Comptroller would complain to the Privy Council that these acts were without lawful warrant or authority and usurped the power of the King, adding that the Convention suppressed the export of wool, even though licenses to export wool had been issued on payment of the new custom rate as required by the act of Parliament. The “pretendit” acts of the Convention would then be rescinded. The whole dispute would occur again the following

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<sup>17</sup> *R.C.R.B.*, I, pp. 464-5.

<sup>18</sup> *Edin. Recs.*, V, p. 137.

<sup>19</sup> *R.C.R.B.*, I, pp. 478, 483, 493.

<sup>20</sup> *A.P.S.*, IV, p. 119; c. 21, p. 135. *R.P.C.*, V, pp. 385-6.

<sup>21</sup> Between January 1596 and February 1597, licences to export wool were purchased by Sir William Stewart of Traquair, knight; the Lord of Newbattle and his merchant Hector Ra; and John Young, in Peebles, and his colleagues. Each poke of wool was charged £5 for an export licence (Stewart paid £15 for his five pokes, but this could possibly be an error for £25). *E.R.*, XXIII, pp. 141-2. A poke can be assumed to have normally weighed between 20-30 stone, see Appendix 7, p. 781.

<sup>22</sup> *A.P.S.*, IV, c. 23, p. 136; c. 25, p. 137.

year. Edinburgh, the only burgh customing wool, was caught in the middle, and was denounced by the Convention for not preventing wool exports.<sup>23</sup> The dispute was still on going at the start of the seventeenth century. In 1601 the leaseholders of the customs were remitted part of their rent since they had incurred losses because of the Convention's restraints on wool exports and cloth imports.<sup>24</sup>

#### (b) English Wool in the Scottish Accounts

Following the trebling of customs in the late 1350s, English wool began to be recorded in the Scottish custom accounts. It was customed at either 6s. 8d. or 13s. 4d. per sack, and these rates continued even after the native wool customs were increased in 1368.<sup>25</sup> The reason for the different rates remains obscure. It could relate to the type of wool, where it came from, or who exported it. At any rate wool that could be proved to be of English growth was customed at a lower rate than native wool.<sup>26</sup> Unfortunately the limited number of detailed custom accounts between 1333 and 1362 makes it impossible to know exactly when the duties on English wool began to be applied or why. Perhaps no distinction was made in the accounts until after the Scottish wool customs were increased, and hence it was liable for different duties, or perhaps English wool being exported via Scotland was a new customable good. Significantly, it may have been an entirely new trade which developed after large parts of Southern Scotland came under English control from the 1330s. These included Berwick-upon-Tweed as well as the important wool producing Teviotdale. While the origins and some of the procedures of the English wool customs remain obscure, from 1362 at least, the different custom duties for English and Scottish wool mean they were listed separately in the accounts.<sup>27</sup>

Edinburgh and Haddington, and to a lesser extent Dunbar, North Berwick, and Linlithgow were the only burghs to custom English wool. In 1363-69, around 400 sacks of English wool each year were exported from Scotland (Figure 6-1). In 1373-74 the level was five times this amount, and then it began to drop. The English Crown naturally disapproved of this trade, and in 1365 and 1372 enquiries were made to find out who was taking wool,

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<sup>23</sup> See *R.C.R.B.*, II, pp. 5, 26-7, 47, 75. *R.P.C.*, V, p. 477; VI, pp. 32-3, 77.

<sup>24</sup> *R.P.C.*, VI, p. 230.

<sup>25</sup> A sack of English woolfells paid the same rate as a sack of English wool. In Dunbar's 1456 account English wool and woolfells were both customed at 13s. 4d. per sack (i.e. 120 woolfells paid 6s. 8d.).

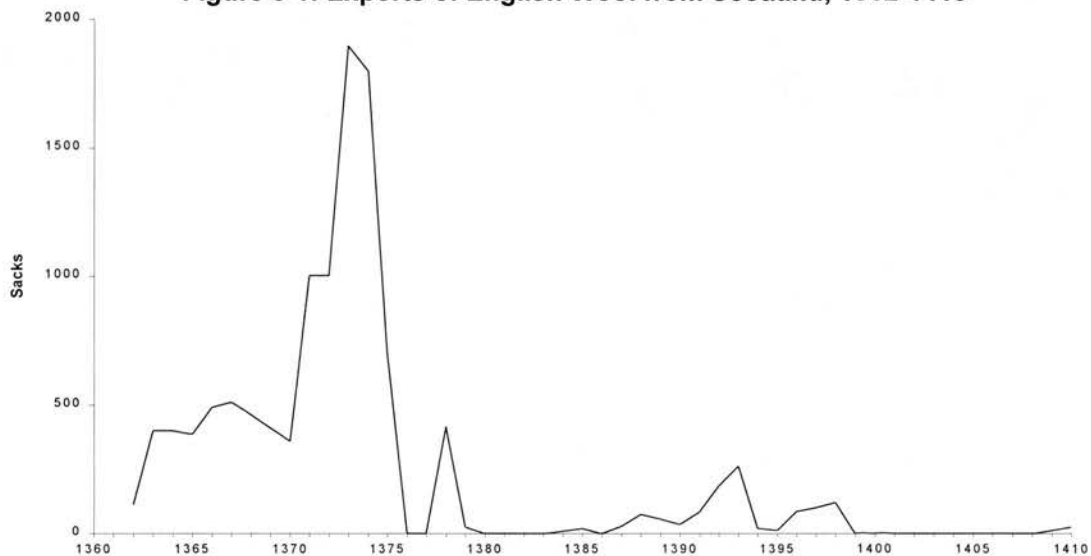
<sup>26</sup> *E.R.*, IV, pp. 78, 114.

<sup>27</sup> Occasionally English wool was charged along with Scottish wool; when this occurred, allowances in the discharge for the lower custom on English wool make it possible to determine the "origin" of the wool.



fleeces, and sheep at the time of their shearing, to Scotland.<sup>28</sup> The latter act specifically stated that there was illicit trade from Northumberland. It is conceivable, however, that some of the wool in the Scottish accounts came from the English held territories in southern Scotland, especially Teviotdale.<sup>29</sup> The considerably lower custom duties in Scotland (6s. 8d. or 13s. 4d. per sack) compared with England (50s. per sack) are likely to have been a significant factor in English wool exports via Scotland, although it should be noted that some custom concessions were available to burgesses of Berwick. Additionally, more stringent export conditions were imposed on the wool exported from England, especially with regard to the Calais staple. On occasion, therefore, the benefits must have outweighed the high cost and risk of taking English wool into Scotland to be exported. Paradoxically, it was attractive for Scottish wool to be exported from Berwick-upon-Tweed, since customs duties on Scottish wool were a third to a quarter of the rates in Scotland.

**Figure 6-1: Exports of English Wool from Scotland, 1362-1410**



Source: Custom accounts, Appendix 1, pp. 378, 395-7, 418, 445, 458.

A revival in English wool exported via Scotland began in the year ending in 1378. This was halted following the reduction in custom duties at Berwick in November 1377,<sup>30</sup> combined with Berwick's 1378 exemption from staple regulations. Thereafter the English wool exports from Scotland were minuscule. In the war between 1384-89 Scotland recaptured most of her southern territories, and wool from these areas, presumably, became

<sup>28</sup> *C.D.S.*, IV, nos. 117, 200.

<sup>29</sup> In 1365 there was to be an inquest into whether the wool in a Newcastle ship freighted in Edinburgh was actually of English or Scottish growth. *C.D.S.*, IV, no. 107.

<sup>30</sup> The customs on wool from Teviotdale were halved to 13s. 4d. per sack, while wool from between Tweed and the Coquet paid only 26s. 8d.

customed with the other native wool exports. The trade, however, lingered, and small peaks were recorded in 1392-93 and 1396-98. In 1399 Berwick's exemption from the staple was confirmed, and English wool exports via Scotland disappeared. A small quantity was customed in 1409-10, before they vanished when Berwick's custom duties were reduced. The last appearance of English wool coincides with England's harsh staple conditions. Small quantities of English wool were customed between 1447-59, even though for certain years Berwick and Newcastle were exempt from these staple requirements.<sup>31</sup>

## II. WOOLFELLS

Woolfells were sheep skins with the fleece still attached, from sheep killed in the summer and winter slaughter.<sup>32</sup> For the export market these skins were to be "flane to the horn", and the tar-leather, the haslocks or fine wool were not to be removed.<sup>33</sup> Following a process of "sweating", the wool would be plucked from the skin, which meant that it was longer than shorn wool, and the skin could be used as leather.<sup>34</sup> The long strands of wool obtained from the woolfells were particularly suited for worsted, semi-worsted, and the products of the "new drapery".<sup>35</sup> There were attempts to establish "new drapery" cloth manufacturing in

<sup>31</sup> Information concerning relative custom rates and staple conditions in this paragraph comes from A. Tuck, "A Medieval Tax Haven: Berwick upon Tweed and the English Crown: 1333-1461" in R. Britnell and J. Hatcher (eds.), *Progress and Problems in Medieval England: Essays in Honour of Edward Miller* (Cambridge, 1996); T.H. Lloyd, *The English Wool Trade in the Middle Ages* (Cambridge, 1977), pp. 212-7, 227-8, 234, 272, 274; J.H. Munro, *Wool, Cloth, and Gold: the Struggle for Bullion in Anglo-Burgundian Trade, 1340-1478* (Toronto, 1973), pp. 57, 86.

<sup>32</sup> In Walter of Heanley's treatise it was recommended that one culling of sheep should take place between Easter and Whitsunday (i.e. mid May), and a second at the end of October. An additional culling before the start of August was suggested in Seneschaucy's treatise. D. Oschinsky, *Walter of Henley and Other Treatises on Estate Management and Accounting* (Oxford, 1971), pp. 185, 337. The custom records rarely make a distinction between them. Winter skins were listed in Inverkeithing's 1572 account and in Edinburgh's entry books of cockets, and on one occasion summer skins were given in the latter. Elsewhere, the auditors noted that the customars of Haddington included in their accounts the customs on the miscellaneous fell exports with the May skins and those from the winter slaughter. NAS, E.71/32/1, f. 9; 32/3, f. 5; 32/5, ff. 3v., 5v.; 32/7, ff. 4v., 11; 32/8, ff. 1-2. *E.R.*, XV, pp. 681-2. Aberdeen's particular accounts in 1577, 1580, 1582-84, show woolfells were primarily exported from the end of February to the end of April, and smaller consignments were sent in the middle of the year. E.71/1/6-10.

<sup>33</sup> In the 1570s foreign buyers complained about Scottish skins and hides. They stated that the "wambes of all hides and skins thair is tar letheris cuttit and tane away, the haslokis and fyne wool of the skins in lykmaner thifteously stollen". *R.C.R.B.*, I, pp. 21-2; *Edin. Recs.*, IV, pp. 5-6.

<sup>34</sup> A. Hanham, *The Celys and their World: An English Merchant Family of the Fifteenth Century* (Cambridge, 1985), p. 149.

<sup>35</sup> I. Blanchard, "Northern Wools and Netherlands Markets at the Close of the Middle Ages" in G.G. Simpson (ed.), *Scotland and the Low Countries 1124-1994* (East Linton, 1996), p. 81. J.H. Munro, "The Origins of the English 'New Draperies': The Resurrection of an old Flemish Industry, 1270-1570" in N.B. Harte (ed.), *The New Draperies in the Low Countries and England, 1300-1800* (Oxford,

Scotland in the closing decades of the sixteenth century, but these were unsuccessful and commercial production remained of little importance. Consequently, when the Convention of Royal Burghs in the final third of the sixteenth century made strenuous efforts to ban shorn wool exports in bid to “improve” the native cloth industry, the trade in woolfells was left unrestrained, one of the few products to be afforded such a luxury. Moreover, the trade in woolfell exports had become a major component of Scottish exports and one that merchants must have been unwilling to sacrifice.<sup>36</sup>

Woolfells appeared in the earliest custom accounts and continued to be customed throughout the period. Until the end of the sixteenth century, 240 woolfells were always customed at the same rate as a sack of wool. Both were initially customed at 6s. 8d.; by 1368 this had been quadrupled to £1 6s. 8d. The ratio remained until wool customs were dramatically increased, to prevent exports, to £6 per sack in the late 1590s. The discrepancy with wool remained; by 1612 woolfell customs had increased only slightly, to £2 for 240.<sup>37</sup>

Whereas shorn wool was weighed with great precision on the jurisdiction’s tron, woolfell exports appear, in the sixteenth century at least, to have been estimated. In 1541 the Auditors of Exchequer instructed Dundee’s merchants to pack their cloth and skins as was done in Edinburgh and other burghs, so the custumars could estimate the contents. If a merchant was not satisfied with the custumar’s estimate, the pack was to be opened and the contents counted. If the custumar’s estimate was vindicated, the goods were to be escheat for the king; if not, the custumar was to pay the cost of the repackaging.<sup>38</sup> The antiquity of this customing procedure for woolfells and other skins is difficult to determine. In the late fourteenth and throughout the fifteenth century, fell and hide counters were sometimes employed to count and check these commodities. It is not known how they performed this task. It could have been by a simple estimate, or they may have been present during the original packing. In the sixteenth century these officials existed only in name. In the 1590s Sir John Skene, Clerk Register, noted the “numerator pellium, quha as yit ressavis his fie

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1997), pp. 51-2. P.J. Bowden, “Wool Supply and the Woollen Industry”, *Economic History Review*, Second Series, IX (1956-7), pp. 48-9.

<sup>36</sup> Woolfells were initially of little importance compared with wool exports. Between 1328-32 5,500 sacks of shorn wool were exported annually but only 300 sacks of wool in the form of woolfells (calculated at 240 woolfells to one sack of wool). Woolfells exports gradually rose while wool underwent a dramatic long-term decline. This eventually led to woolfells’ pre-eminence by the middle of the sixteenth century. In the closing decade of the sixteenth century, 650 sacks of woolfells were being exported per year as opposed to 175 sacks of shorn wool. Appendix 2, pp. 490, 498, 508, 516.

<sup>37</sup> In the 1612 book of rates, a sack of wool was valued at £160, and 240 woolfells at £40. *Halyburton’s Ledger*, p. 340.

<sup>38</sup> *A.D.C.P.*, pp. 507-8.

thairfoir, and retenis the name and appellation bot usis nocht the office".<sup>39</sup> It is certainly noteworthy that, until the final third of the fifteenth century, the custom accounts record woolfells to the nearest fell. Thereafter the figures became more rounded, and were nearly always given in multiples of ten. Likewise, the sixteenth century particular accounts show that custumars worked in thirds or quarters of a long hundred (i.e. 30 or 40) when customing fells.<sup>40</sup> This alone cannot be taken as evidence that estimating the contents of packs of fells became established at this date, but it does show that precision in customing became less stringent. Custumars may well have been under-estimating the number of fells. In 1581 Parliament instructed custumars that every 120 skins should contain precisely that quantity.<sup>41</sup> At the close of the century Sir John Skene claimed that custumars commonly underestimated the contents of packs of skins by around 25%. He stated that that if there was "ane pynnok of skynnis or ane cordat 160 or 180 skynnis... the custumar and merchant aggreis amangis thame selfis will set and esteme thame to 120 skynnis".<sup>42</sup> Skene, of course, was looking to increase the Crown's revenue from the customs, but his comments may have some validity. Abuse of the system, or slackness by custumars, would have been simpler if the contents of bundles were estimated rather than accurately weighed or counted. This should be borne in mind when woolfell customs are examined, especially with the greater degree of rounding from the end of the fifteenth century.

A further problem associated with using the woolfell custom figures is that sometimes other sheep and lambskins were incorporated within the total without its being acknowledged. In 1529, for instance, Haddington's account contained woolfells and futefells. The auditors of the Exchequer, however, complained that shorlings, scaldings, and lambskins had been included in the totals for the May skins and the winter slaughter. The auditors demanded that in future the fells were to be listed separately so that they could understand the customs on each type of fell.<sup>43</sup> In a similar manner, Perth's custumar was castigated in 1530 for customing miscellaneous fells along with woolfells.<sup>44</sup> Part of the

<sup>39</sup> A.L. Murray, "Memorandum on the customs 1597" (forthcoming).

<sup>40</sup> Edinburgh's particular accounts from November 1565-February 1567 contain nearly a thousand separate entries for fells of various descriptions. The only quantities recorded were for 30, 40, 60, 90, 120, 150, 180, 240, or 360. NAS, E.71/30/15-16.

<sup>41</sup> The act states that every hundred skins should contain six score. This act was not enforcing the use of long hundreds for customing skins, rather it was to ensure custumars did not under-custom goods. It was added, after all, that each sack of wool was to contain 24 stone, and a dozen of cloth 12 ells. *A.P.S.*, III, c. 12, p. 216.

<sup>42</sup> A.L. Murray, "Sir John Skene and the Exchequer, 1594-1612", *Miscellany One* (Edinburgh: Stair Society, vol. 26. 1971), p. 145.

<sup>43</sup> *E.R.*, XV, pp. 681-2.

<sup>44</sup> *E.R.*, XV, p. 628.



Exchequer's displeasure about this practice was because they wished to ensure the customars of Haddington and Perth were, as commanded, customing miscellaneous fell exports. How much the Exchequer was in general opposed to the practice is difficult to determine. There is, for instance, one surviving example, which evidently did not incur the Exchequer's wrath. On the 17<sup>th</sup> of November 1575, 240 woolfells, and hides, cloth, and oil belonging to David Williamesone and David Page were customed at Cupar and they were then taken to Dundee to be exported, a consignment recorded in Dundee's entry book of cockets. The Dundee customar listed virtually identical quantities of cloth, hides and oil, but also three pinnoks of skins which he described as containing 120 woolfells, 240 scaldings and 120 shorlings. The custom duties on the 240 woolfells at Cupar and the variety of fells recorded at Dundee are exactly the same- £1 6s. 8d. In the account for Cupar, therefore, the shorlings and scaldings had simply been recorded as standard woolfells.<sup>45</sup> Even if the miscellaneous fell customs were commonly listed as assize woolfells, which seems unlikely given their frequent appearances in the accounts, they were insignificant compared with woolfell customs and so would not seriously affect the woolfell figures.

### III. HIDES

In the mid to late sixteenth century the custom accounts begin to record wild and white leather, and hart hides. They were of little importance and have more in common with the miscellaneous fells than the long established and important customs on cow and ox hides.<sup>46</sup> Cow and ox hides appear in the first surviving custom accounts and were always customed in a comprehensive manner. Originally they were customed at 13s. 4d. per last, with 20 dakers in a last and each daker containing 10 hides.<sup>47</sup> By 1368 the custom rate had

<sup>45</sup> There are some slight discrepancies between entries in Cupar and Dundee. The latter states that Page exported all the skins, but in the Cupar account the two merchants owned half each. There were 2.2 dakers of hides in Dundee; in Cupar's account only one. All the other entries correspond exactly, and it is clear both refer to the same consignment. This Dundee entry book of cockets has been dated October 1574 to November 1575, but in reality it covers from November 1575 to November 1576, for there is a complete correspondence between it and the particular accounts for Cupar and Montrose in 1576. NAS, E.71/8/2, ff. 4-4v.; 12/8, f. 10; 21/1, ff. 2-2v.

<sup>46</sup> The enrolled accounts do not state these were cow and ox hides. The particular accounts and acts concerning exports, however, occasionally refer to cow, or nolt hides; the latter term can mean either oxen or cattle. NAS, E.71/8/2, ff. 3, 4v.; 12/7, ff. 3-4, 5v., 6v., 8v.; 32/6, f. 4; 32/11, f. 2v. *R.C.R.B.*, I, pp. 21-2. *Edin. Recs.*, IV, pp. 5-6.

<sup>47</sup> It has been stated that a daker contained either 10 or 12 hides. *E.R.*, I, p. xcvi; J. Donnelly, "An Open Economy: Berwick Shipping in the early Fourteenth Century" (forthcoming). All the available evidence, however, suggests there were always 10 hides per custom daker, as can be determined from clerical additions in the particular accounts.



quadrupled, and thereafter it remained unaltered until the end of the sixteenth century. Initially hides were customed to the exact hide, a process Sir John Skene, Clerk Register, was keen to recognise.<sup>48</sup> From the second half of the fifteenth century, however, it became increasingly common for hides to be customed to half a daker, i.e. five hides. On only six occasions after 1482 do Edinburgh's enrolled accounts give totals that are more precise than half a daker. A similar trend from roughly the same time is observable in other burghs. This has only a slight bearing on export figures.<sup>49</sup>

Scottish cow and ox hides were probably only dried and salted, (as opposed to being dressed, tanned, etc.) prior to being exported;<sup>50</sup> the custom accounts occasionally refer to salt hides.<sup>51</sup> In the sixteenth century particular accounts and the slightly later books of rates, salt and dry hides, for customing purposes at least, were considered one and the same, and paid the same custom rates.<sup>52</sup> While most of the custom references and legislation suggest Scottish hides exports underwent little in the way of processing, it should be noted that barked (i.e. tanned) hides were included in a brief ban on hide exports in 1486, and were banned again a century later. It is unlikely, however, that exports of barked hides were of much importance. In 1561, to alleviate a shortage of "barked leather", hides exports were banned. The export of barked leather itself was not mentioned, suggesting it was not exported. Moreover, there is no mention of barked leather exports in the 1597 bullion duties, the 1612 book of rates, or the 1611-14 Export Survey, and the only entry in the custom accounts appears to be a re-export.<sup>53</sup>

Hides are customed in the accounts for Ayr and Irvine in 1474 at the normal rate, 32d. per daker, and the entry for Irvine states they were salt hides. More intriguing are the entries for "dried hides" in the two accounts, which were customed at 21.3d per daker, two-

<sup>48</sup> A.L. Murray, "Memorandum on the customs 1597".

<sup>49</sup> In Edinburgh's 1566 particular account there were 182 separate entries for hides, each given to the half daker. If totals were always rounded up or down they could over or underestimate the figures by a maximum of 50 dakkers out of a total 1,015 dakkers. This is a maximum figure; in other burghs the absolute quantities would be minuscule. NAS, E.71/30/15.

<sup>50</sup> R.M. Spearman, "Workshops, Materials and Debris- Evidence of Early Industry" in M. Lynch *et al.* (eds.), *The Scottish Medieval Town* (Edinburgh, 1988), p. 139.

<sup>51</sup> Haddington 1481, 1499; Dunbar 1481; Edinburgh 1497, 1507; Perth 1496, 1591-92; Dundee 1481; Irvine 1474; Dumbarton 1502; Ayr 1487. Salt hides are also given in some particular accounts NAS, E.71/12/7, ff. 2-3v.; 12/8, ff. 1-4v., 8; 22/2; ff. 5-6; 32/2, ff. 4, 5v.-6; 32/10, f. 3v.; 32/13, f. 5v.

<sup>52</sup> Both dry and salt hides are recorded in Edinburgh's entry book of cockets in 1596. NAS, E.71/32/13, f. 5v. In the 1612 book of rates, dry, salt, and hart hides were valued at £10 per daker. This, of course, suggests there was a distinction between them, but not one to concern the customar.

<sup>53</sup> *A.P.S.*, II, c. 3, p. 174; *R.P.C.*, I, pp. 191-2, 285; *Halyburton's Ledger*, pp. cxv-cxvi, 336-41; Danzig barked leather appeared in Edinburgh 1598 (a); for the 1611-14 Export Survey see Appendix 11, pp. 812-4.

thirds of the normal duty on hides. In Edinburgh's 1496 account dried hides were customed along with imports of English cloth, as if they were also an import from England.<sup>54</sup> These are the only occasions when dried hides appear in the custom accounts, although they are mentioned in the particular accounts. It is tempting to assume the hides at Ayr and Irvine, like those at Edinburgh, were English imports

#### (a) Hide Export Bans

In ca. 1486, Parliament, in one of the first decrees of its kind, banned the export of salted, dried, or barked hides for two years.<sup>55</sup> Hide customs fell by two-thirds during the ban, then returned to the pre-ban levels once it had ended.<sup>56</sup> Yet around 500 dakers per year were still being customed during the ban, and hence must have been legally exported. Favoured merchants or those who purchased a licence must have been allowed to contravene it.<sup>57</sup> If a licence was held for a specific quantity there must have been a temptation to export a greater amount, or, if no licence were held, to evade the ban completely. The export ban, therefore, led to a contraction in hide customs in 1486-87, but it is by no means certain that hide exports slumped. The Crown did not persevere with banning hide exports, and did not repeat the practice for a further three-quarters of a century.

In December 1561 the Privy Council stated that the export of ox and cow hides had resulted in a shortage of barked leather. This led to high prices for boots, shoes, and other items made from leather, causing the poor, servants and labourers, and others in the realm to be "utterly depauperat". It was decreed, therefore, that for three years after February 1562, hides were not to be exported by land or sea, nor were customars to custom any hides, and searchers were commanded to enforce the ban.<sup>58</sup> The act, however, was annulled just before the end of the statutory period because it had failed so miserably. It was noted that craftsmen had conspired together to keep the price of barked leather high, while merchants continued to gather, salt, and store hides in anticipation of the ending of the ban. More importantly, for this study at least, hides continued to be exported. Merchants had obtained licences allowing

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<sup>54</sup> There are also numerous entries for dressed hides imported from England around this time.

<sup>55</sup> *A.P.S.*, II, c. 3, p. 174. The exact date of this Parliamentary sitting is not known, but it took place between the Parliaments of 1485 and 1487.

<sup>56</sup> See Appendix 2, p. 530; Appendix 3, p. 641.

<sup>57</sup> Patrick Bigholm was granted freedom of customs to compensate for spices he purchased for the Crown. He may also have received the right to contravene the hide export ban, because he exported 27½ dakers of hides from Dumbarton in 1486. A similar arrangement may have been agreed the following year when a merchant of Rouen was remitted from paying customs on 80 dakers of hides at Ayr. *E.R.*, IX, pp. 439, 542.

<sup>58</sup> *R.P.C.*, I, pp. 191-2.

them to export small quantities of hides, and exported far more than the licence permitted. Since the ban was not benefiting the commonweal, it was felt the Queen should no longer forego the custom revenue from hide exports.<sup>59</sup> Edinburgh's hide customs fell during the period of the ban (Table 6-1), and a similar pattern is apparent in other burghs.<sup>60</sup> The quantities customed and legally exported, however, were still quite considerable, making a mockery of the Crown's claim that licences for only a small quantity had been issued. The Crown's concern about illegal exports should nonetheless still be taken seriously.

**Table 6-1: Edinburgh's Hide Customs, 1559-66**

<i>Period</i>	<i>Total (dakers)</i>	<i>Av. per Month (dakers)</i>
Sep 1559-Nov 1561	4,159	163
Nov 1561-Feb 1563	2,272	149
Feb 1563-Mar 1565	1,650	63
Mar 1565-Apr 1566	2,102	160

*Source:* Custom accounts, Appendix 1, p. 411.

Between October 1582 and October 1589 the customs of the realm were leased, and one of the conditions of the lease was that no new export bans should be imposed during its course.<sup>61</sup> Yet in April 1589 the Convention of Royal Burghs presented a petition to the King desiring that the restraint on exporting hides be annulled, because, they claimed, it harmed the merchants and was of no help to the lieges of the realm.<sup>62</sup> It is difficult to know quite what restraint they wished to be rid of. It may relate to the commission that was to be established in 1581 to consider hides and shoes, but whether it convened, what it was to discuss, or what, if anything, was implemented has not been recorded. The restraint could even refer to the impediment on shoe exports, and the Convention of Royal Burghs' desire to have it lifted.<sup>63</sup> There are a few surviving particular accounts for the period of the lease, and these show some ambiguity about the existence of hide customs. Ayr in 1584 and Montrose in 1586 include hides as usual,<sup>64</sup> while Aberdeen's accounts between October 1582 and October 1584 do not contain any hides.<sup>65</sup> The custom accounts rendered in 1590 show most burghs customed hides. Either the Convention's supplication worked with remarkable speed,

<sup>59</sup> *R.P.C.*, I, p. 285.

<sup>60</sup> Dundee did not custom any hides between January 1563 and October 1564; Ayr and Haddington's hides customs fell in 1563-64. Cupar and Linlithgow, however, increased their customs in 1563-64/5.

<sup>61</sup> *R.C.R.B.*, I, pp. 158-61, 223-9.

<sup>62</sup> *R.C.R.B.*, I, p. 306.

<sup>63</sup> *A.P.S.*, III, c. 9, pp. 214-5; *R.C.R.B.*, I, p. 76.

<sup>64</sup> NAS, E.71/3/5, ff. 2-2v.; 21/2, f. 2.

<sup>65</sup> NAS, E.71/1/9-10.

or else the restraint, whatever it may have been, was not a complete export ban on hides. Perhaps certain criteria had to be met by the merchants prior to their being allowed to export hides, or perhaps exports to a particular market were forbidden. In any case, in the 1590s there were no export bans on hides.<sup>66</sup>

The supply of barked leather had been the prime concern for the legislators in the 1561 hide export ban, and it continued to cause them some disquiet. In 1573 Parliament changed its approach and banned the export of barked leather and shoes, a product made from it, rather than forbidding the cow and ox hide exports. Later the convention desired that the impediments made to exporting shoes as stulling be lifted, and in 1581 a Parliamentary commission was set up to discuss the export of hides and shoes.<sup>67</sup> Yet, as has already been noted, the custom accounts are devoid of any mention of barked leather.

#### IV. MISCELLANEOUS SKINS<sup>68</sup>

##### (a) Pelts and Miscellaneous Fells

In 1424 James I's first Parliament imposed customs duties on the pelts of various wild animals, which, interestingly, had not been mentioned in the unsuccessful 1398 new customs act. The custom for each skin of a marten was 6d., otter and fox skin ½d., hart and hind 1d., three polecat skins paid 2d., three roe and doe skins 1d., and every 120 rabbit skins 12d.<sup>69</sup> These skins appeared only occasionally in the custom accounts during the reign. Rabbit skins were recorded at Edinburgh, North Berwick, Haddington, and Aberdeen; the burghs north of Aberdeen recorded a wide variety of pelts;<sup>70</sup> and in 1428 otter skins were customed at Ayr. In terms of custom revenue and total trade, these pelt exports were of little significance. Of considerably more importance were the last customs introduced in James I's reign, on a variety of sheep and lamb skins, which complemented the long standing customs on woolfells. The initiating act has not survived, but the 1435 and 1437 custom rolls (the 1436 custom roll has not survived) include numerous entries for shorlings, customed at 6s. 8d. per 120; scaldings and fute-fells, both 3s. 4d. per 120; and lentrenware, and lambskins, 12d. per

<sup>66</sup> An assortment of bans was imposed on calf and heifer skins; see pp. 162-3 below.

<sup>67</sup> *A.P.S.*, III, c. 6, p. 83; c. 9, pp. 214-5; *R.C.R.B.*, I, p. 76.

<sup>68</sup> In this section the term miscellaneous fells, or simply fells, has been used for sheep, lamb, goat, kid, and calf skins, but not woolfells. "Pelts" is used for the skins of wild animals. Elsewhere in the thesis the term miscellaneous fells are used for all these skins, except woolfells.

<sup>69</sup> *A.P.S.*, I, p. 571; II, c. 23, p. 6.

<sup>70</sup> Inverness: fox and otter 1428, 1430-1, 1434, polecat 1434, marten 1428, 1431; Elgin fox 1431, roe 1431; Banff fox 1434.



120. Like the pelts customs, these were not included in the 1398 act, although they were exported.<sup>71</sup>

Shorlings and scaldings were sheep skins, the former from a recently shorn sheep, the latter from a scabby or “scald” sheep. Very occasionally morlings, the skins of ewes which died in lambing or of “murrain”, appeared in the Scottish custom accounts. Fufefells were the skins of mature lambs, killed “between the time of castration and that of being weaned”. In the custom accounts at this time scaldings and fufefells appeared together, simply because they paid the same custom duty, but later they were listed separately. Lentrenware and lambskins were skins of younger lambs; the former received its name because it came from lamb at Lent. It was very rare for there ever to be separate entries for lambskins and lentrenware in the same custom account. For customing purposes they were the same, although in reality one may be equivalent to skin of dead lambs, morkins, and the other diseased or damaged lamb fells.<sup>72</sup>

The fell custom figures in 1435 and 1437 are of great importance. They represent one of the few occasions when fells were, albeit briefly, comprehensively customed. Comparisons can be made between the level of customs for fells, wool and woolfells in an attempt to gauge their relative exports.<sup>73</sup> The accounts do not cover exact years, so there could be some distortion due to the commodities having different seasonal export patterns, but this will be slight and should not affect the overall trends. The figures are given in Table 6-2; they show that the exports of the accumulated fells were greater than woolfells in most burghs, yet were of little importance compared with wool. The miscellaneous fells exports as a whole, therefore, were a minor but important component of Scottish trade. Perhaps objections from burghs and merchants to duties on this relatively significant trade may explain why duties were imposed only at a late date.

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<sup>71</sup> *E.R.*, III, pp. 219-22.

<sup>72</sup> E.E. Power, “The Wool Trade in the Fifteenth Century” in E. Power and M.M. Postan (eds.), *Studies in English Trade in the Fifteenth Century* (London, 1951), pp. 51, 368. *Dictionary of the Older Scottish Tongue, from the Twelfth Century to the end of the Seventeenth Century*, edited by W.A. Craigie and A.J. Aitken *et al.* (London, 1937- ), III, p. 679.

<sup>73</sup> The custom duties for woolfells and the various other fells, at least, were broadly similar as a percentage of domestic price at the time. In Aberdeen in 1442, for instance, it was decreed no one was to buy woolfells for more than 10d., shorlings 6d., scaldings 3d., fufefells 2d., and a dozen lentrenware for more than 8d. Custom duties as a percentage of these prices were woolfells 13%, shorlings and scaldings 11%, lentrenware 15%, and fufefells 17%. In 1450 the Comptroller sold various sheep and lamb skins. The customs as a percentage of their prices were 11% for woolfells, shorlings, and scaldings, and 5% for lambskins. The customs duties are, therefore, fairly reliable indicators of relative value. *Extracts from the Council Register of the Burgh of Aberdeen, 1398-1570*, edited by J. Stuart (Aberdeen: Spalding Club, vol. 12. 1844), p. 397; *E.R.*, V, p. 395.



**Table 6-2: Wool, Woolfell, and Miscellaneous Fell\* Exports, 1435 and 1437**  
(sacks)

Burgh	1435			1437		
	Wool	Woolfells	Misc. Fells	Wool	Woolfells	Misc. Fells
Dunbar	41.5	2	2.8	-	-	-
Haddington	232.7	32.6	32.7	70.1	16.5	16.5
North Berwick	8	1.6	2.1	30.8	4	3
Edinburgh	1,013.3	194.5	119.6	961.8	208.7	172.8
Linlithgow	322.6	27.8	41.4	135.7	8.5	13.7
Stirling	15.5	2.5	5.5	18.5	4.2	4.6
Inverkeithing	35.3	2.4	0.9	-	-	-
Perth	90.4	16.2	8.5	-	-	-
Dundee	178.6	20.8	39.5	-	-	-
Montrose	30.5	1.8	2.7	20.1	0.5	1.4
Aberdeen	402	21.1	21	-	-	-

\*Miscellaneous Fells: shorlings, futefells, scaldings, and lentrenware.

Source: Custom accounts, Appendix 1, 345, 379, 382, 398, 420, 425, 447, 453, 459, 464, 479.

Fell and pelt customs, like other duties introduced at the time, lapsed on James I's death in 1437. In the process of re-introducing them James II, judging by the 1435 and 1437 receipts, gave the main fell exporting burghs freedom from fell customs. On the 9<sup>th</sup> of November 1451 the merchants, burgesses and community of Edinburgh were freed from paying customs on salt, and the skins called shorlings, scaldings, futefells, lentrenware, and lambskins, and additionally the skins of foxes, calves, rabbits, otters, and polecats. Strangers to the burgh were also freed from these customs. Around the same time identical gifts were given to Aberdeen, Haddington, Linlithgow, Montrose, and Stirling,<sup>74</sup> and, apparently, Dundee, and Perth.<sup>75</sup>

As these burghs were busy securing for themselves exemptions from fell and pelt customs, the duties were beginning to be levied in other jurisdictions for the first time since 1437. From 1452 fells were customed almost continuously at Inverkeithing and North

<sup>74</sup> *Charters and other Documents Relating to the City of Edinburgh, A.D. 1143-1540*, edited by J.D. Marwick (Edinburgh: Scottish Burgh Records Society, vol. 7. 1871), pp. 71-3. *Charters and other Documents Relating to the Royal Burgh of Stirling, 1124-1705*, edited by R. Renwick (Glasgow, 1884); pp. 32-3. *Charters and Writs Concerning the Royal Burgh of Haddington, 1318-1543*, edited by J. Wallace-James (Haddington, 1895), pp. 21-23. *Charters and Other Writs Illustrating the History of the Royal Burgh of Aberdeen*, ed. P.J. Anderson (Aberdeen, 1890), p. 25. *Extracts from the Council Register of the Burgh of Aberdeen, 1398-1570*, p. 47. *A.P.S.*, V, c. 211, pp. 460-1. *R.C.R.B.*, I, p. 213.

<sup>75</sup> Charters from James II are referred to by these two burghs in later appeals against the imposition of duties. See notes 85 and 87 on pp. 158-9 below.

Berwick,<sup>76</sup> and Dunbar's 1453 account included shorlings and scaldings. Yet in the following year Thomas Lawsoun, Dunbar's customar, gave his oath that no fells had been exported, and from that time to 1464, Lawsoun's last year in office, no fells were included in Dunbar's accounts. In a similar manner, Cupar's customars in 1454 declared there were no shorlings or scaldings to custom, and again fells do not appear in their accounts for a long period. In both of these cases there must be a degree of suspicion, to say the least, that there were no fell exports; presumably the customs were simply not being applied. The initial re-introduction of fell and pelt customs in the non-exempt burghs was far from successful.

In the mid-1460s the Exchequer once more applied pressure on those non-exempt burghs to impose fell and pelt customs. Again they met with varying degrees of success. In 1464 Inverness's customar claimed there had been no exports of wool, cloth, woolfells, or shorlings, scaldings, lamb skins, fox skins, hides of dressed beasts or marten skins. The customar was commanded to levy customs on these goods in future, but they remained absent from the accounts. Seven years later a new customar at Inverness claimed he did not have a mandate to levy customs on calf skins, shorlings, scaldings, futefells, and rabbit skins, in addition to woolfells, cloth and salmon. The Exchequer demanded he levy customs on all these goods, but yet again the fells and pelts remain conspicuously absent. Likewise, Cupar's customars were ordered to levy customs on fells in 1474 and 1482, to no avail; the former order suggests they had only just received a mandate to custom fells in that year. Elsewhere there was more success; Inverkeithing and North Berwick continued to custom fells, and they were joined by Dunbar from 1464, Kinghorn from 1471 and Arbroath from 1476, while Dumbarton customed fells in 1475-77. Even the ecclesiastic burgh of St Andrews, where the Bishop owned the customs, was ordered to pay the Crown customs on fells and pelts in 1473, and did so in the following two years.<sup>77</sup> The bulk of the entries were for sheep and lambskins, and very occasionally other fells and pelts.<sup>78</sup> In the 1460s and 1470s, therefore, a number of burghs' custom accounts began to include fells and pelts, the first time for most of them since James I's reign. Thereafter they continued to be customed until the close of the sixteenth century. At some time in the sixteenth century, Cupar and Inverness came to levy the duties, although the exact date is impossible to ascertain since their customs were leased so frequently.

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<sup>76</sup> North Berwick's 1455 account did not include shorlings, futefells, lentrenware, rabbit skins, or skins of other animals, so the auditors of the Exchequer commanded their customars to include them in their next account.

<sup>77</sup> In 1474 the charges were in fact remitted because they could not be collected.

<sup>78</sup> Rabbit skins: North Berwick 1468, Dunbar 1468-69, Crail 1477, St Andrews 1475, Inverkeithing 1487-88. Calf skins: Dumbarton 1477, and foxskins Aberdeen 1474.

In the burghs which secured exemptions from James II, the situation was very different. None of them customed any fells or pelts until the late 1460s. In 1468 Linlithgow's account contained fells exported by aliens and those outwith the burgh. In the same year a memorandum noted that, because Edinburgh's customars did not have a mandate, the customs on fells exported by "foreigners of the burgh" had not been levied. It added that since they now held a mandate, they were to levy the fell customs at the same rate as paid by the merchants of Inverkeithing and North Berwick. James II's charters had gifted everyone exporting from the particular burgh freedom from the duties; evidently, however, from 1468 only burgesses maintained the privilege.<sup>79</sup> For the next thirty years the "exempt" burghs occasionally customed fells and pelts. The quantities were invariably small, and most of the entries normally state the customs were on aliens, the unfree, or non-burgesses of the burgh. It is likely that all the fells customs were charged only on merchants from outwith the burgh even when it was not specifically stated, and certainly there was a great deal of continuity in the levels. The last entry to mention that the fell customs were imposed on strangers alone was Edinburgh in 1498, but the customs levels suggest the practice continued.<sup>80</sup> Robert Barton, an inhabitant of Leith, for instance, was one of the few people who received a remission on fell customs, when he was excused from paying customs on his lambskin exports at Edinburgh, in 1505. Edinburgh burgesses were later to complain venomously about Barton's other mercantile activities, which they saw as usurping their own privileges.<sup>81</sup> The small level of fell customs at Edinburgh, and the virtual absence of fells in the other "exempt" burghs, is a reflection on non-burgess trade being almost non-existent.

In the late 1510s the Exchequer began to attempt to levy fell customs on everyone in the "exempt" burghs. Initially they had only limited success, but after further efforts in the

<sup>79</sup> Edinburgh's charter was confirmed in 1482 by James III. It stated the rights of "alienaris or strangearis, or ony vtheris" to be free from the customs; in reality they were customed. *Charters and other Documents Relating to the City of Edinburgh*, pp. 165-7.

<sup>80</sup> The fells and pelts customed in Edinburgh's accounts in 1469, 1471, 1473-79, 1483, 1485, 1489-94, and 1498 (b) were stated as belonging to those outwith the burgh; there is no mention of the exporters in 1478, 1480-82, 1484, 1486-88, and from 1498 (c). The continuity in custom levels suggests all of Edinburgh's entries, and those after 1498, were for those outwith the burgh. In the other "exempt" burghs hardly any fells or pelts were customed until the 1520s. Entries stating they were exported by those outwith the burgh occurred at Haddington 1476, Perth 1475, Linlithgow 1468-69, 1479, Dundee 1474, 1482 (b); there are no references for the fells and pelts at Aberdeen 1474, 1490, Haddington 1484, 1493-96, Montrose 1500 (b), Linlithgow 1477-78, 1480, Dundee 1484, 1487, 1495, 1510-12, Stirling 1516. Again it can be assumed all were exported by strangers.

<sup>81</sup> *E.R.*, XII, p. 373; *A.D.C.P.*, pp. 128-30. The only other remissions on fells customs at Edinburgh, were for Benedit, the *commoranti* in Danzig, and Thomas Pringle the trumpeter. *E.R.*, XII, p. 163; XIII, p. 99. Neither were Edinburgh burgesses. *Roll of Edinburgh Burgesses and Guild-Brethren*. Vol. I, 1406-1700, edited by C.B.B. Watson (Edinburgh: Scottish Records Society, 1929).

mid to late 1520s and at the close of the 1530s, the burgesses' miscellaneous fell exports were customed at Stirling,<sup>82</sup> Haddington,<sup>83</sup> Aberdeen,<sup>84</sup> Perth,<sup>85</sup> Linlithgow,<sup>86</sup> and Dundee.<sup>87</sup>

<sup>82</sup> Stirling's 1516 custom account included a small quantity of shorlings and futefells, their first appearance at the burgh since James I's reign. The customs were perhaps levied only on strangers, since the Exchequer demanded that the customar levy and collect the exact fell customs in future. The following year, the burgh claimed to hold a charter from the King exempting them from customs on shorlings, scaldings, futefells, and lentrenware. Since this charter was not produced, the customars were commanded to levy the duties. The burgh's customs were leased between 1518 and 1531, making it impossible to ascertain if the orders were obeyed. Following the ending of the lease, however, the accounts regularly contain fells and, occasionally, pelts.

<sup>83</sup> In 1517 Haddington's customars were ordered to levy customs on fell exports, but the burgh claimed to be free from these duties by virtue of their charter. The Exchequer orders, in 1517 and 1520, for the charter to be produced or for fell customs to be levied, were ignored. By 1527 the Exchequer stated that, since the charter had not been produced, fell exports were to be customed. Futefells and lambskins were customed in the following year. Haddington 1527, and *E.R.*, XIV, pp. 608-9; XV, p. 651. The 1529 account contained only woolfells and futefells. The customar later explained that the customs on shorlings, scaldings, and lambskins had been included in the totals for the May skins and the winter slaughter, rather than each commodity being listed separately. The auditors demanded that in future all fells were to be recorded individually, so they could understand the custom of every sort of skin. There were more problems in 1530, when the custom account was ordered not to be enrolled since the customar had not included futefells, lentrenware, scaldings, shorlings, and lambskins as instructed by various acts and decrees. *E.R.*, XVI, pp. 526, 681-2. Thereafter Haddington's accounts include fells until 1592, when the burgh had their old privileges of exporting fells free from customs ratified. *A.P.S.*, III, c. 80, p. 580. After four years in which fells were occasionally customed in an irregular fashion, the confirmation was rejected by the auditors of the Exchequer and the customars were ordered to levy the duties. *E.R.*, XXIII, p. 508.

<sup>84</sup> In 1526 the auditors of the Exchequer ordered Aberdeen's customars to levy customs on shorlings, futefells, lambskins, lentrenware, and scaldings, but it was only after a further demand in 1540 that fells appeared in the accounts. *E.R.*, XV, p. 653; Aberdeen 1540. Aberdeen customed shorlings, futefells, and lambskins until 1558, and thereafter the burgh's customs were leased. After the lease ended in 1574, and for the remainder of the century, the only fells to appear in the burgh's accounts were lambskins. It seems unlikely that lambskins were the only fells exported from Aberdeen, or that all fells, except lambskins, were exempt from duty. It is conceivable they were the burgh's dominant fell export, and a customing practice was adopted whereby the fells were merely given in their lambskin custom equivalent in the accounts.

<sup>85</sup> In 1526 and 1527 Perth was ordered to present its charter of exemption from fell customs. When proffered, in 1529, it was immediately dismissed since it was issued during James II's minority, and James V's recent confirmation charter was also rejected. *E.R.*, XV, pp. 651, 653, 682; A.L. Murray, *The Exchequer and Crown Revenue of Scotland, 1437-1542* (unpublished Edinburgh Ph.D. thesis, 1961), p. 156. Perth's account in 1530 did not include any fells, the customar stating that fells customs were included with the woolfell figure. *E.R.*, XV, p. 628. Up to 1539 the burgh's fell customs were small and sporadic, especially compared with those after 1540. It is possible that Perth was only customing non-burgesses in the 1530s, and from the following decade the Exchequer ensured everyone was customed.

<sup>86</sup> In 1540 Linlithgow's charter granting freedom from customs on fells was rejected. A.L. Murray, *The Exchequer and Crown Revenue of Scotland*, p. 156. From the following year, and thereafter, shorlings, futefells, lambskins, and, up to 1558, scaldings, were given in the burgh's accounts.

<sup>87</sup> In 1520 and 1526 Dundee was commanded to produce its charter allowing the burgh and inhabitants freedom from fell customs, otherwise they were to be compelled to pay the customs. Evidently the demands were ignored. In 1527 the provost, bailies, and community of Dundee were given eight days to produce their evidence. A copy of their charter from James II was presented, but it was decreed it "suld nocht have effect" because it had been granted during his minority and thereby fell under revocation. *E.R.*, XIV, pp. 608-9; XV, p. 652. Fells were included in the accounts following a further order in 1530, but for two years only. *E.R.*, XVI, pp. 526-7. They reappeared in the 1540 account, prompting the burgesses to complain that they held legitimate exemptions, granted by the King's predecessors. The Lords of Council begged to differ and in August 1540 decreed they were to pay



The fell customs, however, were still not comprehensively enforced on everyone. The burgesses in Dundee in the early 1550s and Haddington in 1592-96 managed, albeit very briefly, to have their immunities from miscellaneous fell customs renewed.<sup>88</sup> The community of Montrose may have maintained their freedom from fell customs; fells remained absent from their accounts despite demands in 1520 and 1539 to custom fells or produce evidence of their exemption.<sup>89</sup> In 1540 the customar claimed he would have customed fells but none had occurred. The burgh genuinely might not have exported any fells in the second half of the sixteenth century; their woolfell exports, for example, were negligible. It is, however, perhaps more likely that they had successfully defended their privileges. In 1586, during the period when the customs of the realm were leased by the burghs, Montrose claimed to the Convention of Royal Burghs that their inhabitants, by virtue of their charter, were free from customs on various fells. The Convention declared the inhabitants would be free from extraction on production of the authentic extract.<sup>90</sup>

Of considerably greater significance, Edinburgh's burgesses may have continued to be exempt from fell customs. Edinburgh's custom accounts up to the end of the fifteenth century included fells and pelts, most of which were explicitly stated as belonging to strangers of the burgh. After 1498 there are no more references as to who exported the fells. Scottish merchants' fell exports were clearly customed at Edinburgh,<sup>91</sup> yet the continuity in the level of fell customs for the five decades, suggests that Edinburgh's burgesses may have continued to be exempt. Unlike in other "exempt" burghs there are no surviving demands from the Exchequer ordering Edinburgh to levy fell customs. There was an increase in the fell customs at Edinburgh from the 1540s (futefalls from 1541 and lambskins a decade later), which could represent an expansion in those liable for customs, as in the previously

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customs on these fells. *A.D.C.P.*, pp. 500, 507-8. Thereafter Dundee's accounts contained fells until the early 1550s, when the burgh's charter from James II was confirmed. This gave the burgesses freedom of customs on various fells. A transcript of the charter was enrolled with the burgh's 1553 custom account, to ensure that the auditors of the Exchequer were quite clear about it. In the burgh's accounts covering March 1550 to October 1552, all of which were rendered at the same time, shorlings, futefalls and lambskins were given in the charge of the account. These belonged to Dundee's burgesses and all the custom payments were discharged because of their exemption. *E.R.*, XVIII, pp. 174-6. In the following two years the burgh's customs were leased and when they returned, fell customs were included. The levels were similar to those observable in 1550-52. It can be assumed, therefore, that burgesses and strangers were being customed. Their exemption presumably had been revoked once Mary of Guise replaced Arran as regent. Dundee dutifully customed fells thereafter.

<sup>88</sup> See notes 83 and 87 on pp. 158-9 above.

<sup>89</sup> *E.R.* XIV, pp. 608-9; XVII, p. 769. White leather in 1597 was the only occasion skins of any description appeared in the burgh's accounts sixteenth century accounts.

<sup>90</sup> *R.C.R.B.*, I, p. 213.

<sup>91</sup> See Edinburgh's sixteenth century particular accounts NAS, E.71/30.



“exempt” burghs. A examination of those customed in the mid-1560s, however, suggests Edinburgh’s burgesses were not being customed,<sup>92</sup> so the increase may simply have been a rise in non-burgess exports. In 1575 there is a reference to the burgh looking at the charter freeing them from customs on futefells and shorlings.<sup>93</sup> Perhaps the Exchequer was applying pressure on the burgh’s burgesses to levy these customs,<sup>94</sup> and certainly from the following year the custom levels for futefells and lambskins grew, yet the numbers who were customed continued to be dominated by those who were definitely not burgesses.<sup>95</sup> Who was liable for fell customs at Edinburgh in the sixteenth century is not clear; presumably initially only non-burgesses paid duties, as in the other previously exempt burghs. In the second half of the century the particular accounts show these non-burgesses dominated the fell customs. Perhaps trade in these lesser skins was the prerogative of younger merchants who had yet to acquire burgess status. Alternatively, Edinburgh’s burgesses, unlike those in most of the other “exempt” burghs, maintained their freedom from fell customs.

By the second half of sixteenth century, following pressure from the Exchequer, most of the burghs whose burgesses had been exempt from miscellaneous fell customs were customing shorlings, scaldings, futefells, lentrenware, and lambskins. Complaints and attempts by these burghs to have their privileges re-affirmed met with little or no success. Significantly, however, the burgesses of Edinburgh and, perhaps, Montrose may have maintained their freedom from fell customs.

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<sup>92</sup> In Edinburgh’s April 1566 to February 1567 particular account, 33 different merchants were customed for lambskins and futefells exports. Of these the names and transcriptions of 3 are dubious and have not been considered, 26 were definitely not Edinburgh burgesses at the time, and only 4 could have been burgesses (or, at least, shared the same name with burgesses). This can be compared to a random sample of around 3.5% of the woolfells entries (the first name on the page, or nearest name if indecipherable), which shows 75% were possibly burgesses and 25% were definitely not. NAS, E.71/30/15; *Roll of Edinburgh Burgesses and Guild-Brethren*. Vol. I, 1406-1700, edited by C.B.B. Watson (Edinburgh: Scottish Records Society, 1929).

<sup>93</sup> *Edin. Recs.*, IV, p. 38.

<sup>94</sup> It is interesting to note that in 1576 white leather appeared in the Edinburgh’s custom accounts for the first time; see p. 161 below.

<sup>95</sup> In each of Edinburgh’s particular accounts in 1576, 1580, and 1593, around 70% of the merchants customed for futefells, lambskins, and shorlings were definitely not burgesses at the time. In a sample of around 3.5% of the woolfell entries in the same accounts fewer than 40% of merchants exporting woolfells were not burgesses. NAS, E.71/30/19, 21, 28; *Roll of Edinburgh Burgesses and Guild-Brethren*. Vol. I, 1406-1700, edited by C.B.B. Watson (Edinburgh: Scottish Records Society, 1929).

## (b) Leather Customs

In the 1612 book of rates, wild and white leather was classed as leather, and hart hides were listed with cow hides.<sup>96</sup> They first appear in the custom accounts in the 1550s, but customs were not universally applied for a further two decades. Initially the exemptions from customs on the miscellaneous fells may also have applied to these goods. White leather,<sup>97</sup> after all, was made from calf skins, and hart hides and wild leather came from deer,<sup>98</sup> items which were exempt from customs in the privileged burghs. Dundee only began to custom white leather when the burgesses were liable for the miscellaneous fell customs. Perhaps the trade was brought to the Exchequer's attention at this time, for when Dundee's fell exemption was briefly renewed, white leather continued to be customed.<sup>99</sup> In 1575 Edinburgh's authorities examined their charter freeing them from customs on shorlings and futefells. The following year white leather appears in the burgh's custom accounts for the first time.<sup>100</sup> Evidently the burgh was not exempt from customs on white leather, and it appears to have been levied on burgesses, whereas futefells and lambskins customs may have been levied only on non-burgesses at this time.<sup>101</sup> Presumably white leather exports first became customable in the second half of the century, but duties were only universally levied in the final quarter. An expansion in exports, and the reduction of exemptions may have alerted the Exchequer to the trade. The other leather exports were of less importance and may only have been customable in the final third of the century. In Perth's 1574 particular account there was an entry for 5 lasts and 13 dakers of hart hides and wild leather, which were customed at £5 13s. This entry was scored out and a memorandum underneath it states that tickets (i.e. cockets) had been directed by the custumar of Perth to Dundee for wild leather, hart hides, and certain other goods. It adds that the auditors were to take order and make an act about what such goods

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<sup>96</sup> Likewise, in the 1597 bullion duty table, hart hides were listed along with salt and dry hides, and in the 1611-14 Export Survey they were categorised as hides. In the survey, manufactured "almeit ledder" was given; presumably this was white leather. *Halyburton's Ledger*, p. cxvi; Appendix 11, p. 812.

<sup>97</sup> White leather was sometimes described as cleaned or white skins and was the same as the English whitleather. Calf skins and white leather do not ever appear in the same accounts.

<sup>98</sup> Deer skins have been included with the hart hides, although in Perth in 1596 they were customed separately. Wild leather and hart hides were customed together in the accounts possibly because they were the same commodity, or because they had the same custom duty.

<sup>99</sup> In Dundee's 1552 account the customs from March 1550 on shorlings, futefells, and lambskins were remitted since the burgesses received an exemption from certain skin customs. No such remission was given for the white leather customs.

<sup>100</sup> White leather appeared in Edinburgh's November 1565-February 1567 particular accounts, but these accounts were not subsequently enrolled.

<sup>101</sup> In Edinburgh's particular accounts in 1576, 1580, and 1593 around 40% of the merchants customed for white leather were non-burgesses, a similar percentage to a sample of woolfell customs, whereas roughly 70% of the merchants customed for futefells and lambskins in the same accounts were definitely not burgesses. NAS, E.71/31/19, 21, 28; *Roll of Edinburgh Burgesses and Guild-Brethren*. Vol. I, 1406-1700, edited by C.B.B. Watson (Edinburgh: Scottish Records Society, 1929).

should pay, and compel the owners to pay the said duty.<sup>102</sup> This suggests that while customing of these goods was not unknown, it was far from complete. The hides were not subsequently included in the burgh's enrolled account for that year, but thereafter they were customed regularly.

### (c) Fell Export Bans

In the 1590s the shortage of materials for making points, strings, parchment, and other necessities was said to be so great that craftsmen were left idle. To remedy this, in 1592, exports of skins of calves, kids and hudderon (skins of young heifers) were banned. The following year shorlings were added to the list, because of the necessity for making pokes, "lynnin powchis", gloves, and clothing for the poor. In 1594 these acts were again ratified and ordered to be put into full execution.<sup>103</sup> The acts did not mention white leather, but since it was made from calf skins it is conceivable it was included, even if not by name.

Most burghs stopped customing shorlings around the time of the ban on their export. Edinburgh's shorlings customs ended in the 1593 account, although since 1550 only 1,380 had been customed at the burgh. Perth, however, continued to custom fairly large quantities of shorlings until 1595.<sup>104</sup> From 1597 shorlings again appeared in various jurisdictions.<sup>105</sup> Exports of white leather continued, but the volume of customs dropped at the time of the initial introduction of the bans,<sup>106</sup> before recovering and booming in the second half of the 1590s. The impact on the other skins is difficult to gauge since so few of them appear in the accounts at any time, though by the close of the century they were evidently being customed.<sup>107</sup>

The bans coincide with a rise in the customs of points and gloves, in Edinburgh at least. Whether the bans were successful in providing leather for craftsmen is more debatable. The considerably more substantial exports of lambskins, goatskins, and futefells were left free from hindrance. Exports of kid skins, calf skins, hudderon and shorlings were a mere

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<sup>102</sup> NAS, E.71/22/1, f. 7v.

<sup>103</sup> *A.P.S.*, III, c. 77, p. 579; IV, c. 36, p. 29; c. 47, p. 75.

<sup>104</sup> Last entries for shorlings: Dundee 1590 (with futefells), Stirling 1591, Haddington 1591, Dysart 1593, Inverkeithing 1593 (with futefells), Kinghorn 1593 (clipped skins), Edinburgh 1593, Perth 1595.

<sup>105</sup> Perth 1597, Dundee 1597, Burntisland 1599, St Andrews 1599, Dumbarton 1597.

<sup>106</sup> For example see Edinburgh's white leather customs in 1591-94. *E.R.*, XXII, pp. 91, 170, 248, 335, 425.

<sup>107</sup> Kid skins were customed at Stirling 1598 and calf skins at the Pittenweem Group in 1597.

drop in the ocean by comparison- a drop merchants may have been willing to sacrifice to maintain their freedom to export the more important skins.

#### (d) Miscellaneous Skins: An Overview

A quick examination of the particular accounts can disprove the view that fell customs were only levied on foreigners up to the late 1570s.<sup>108</sup> Unfortunately, the history and development of the fell and pelt customs is ambiguous, and fraught with uncertainty and inconsistencies. This seriously hinders attempts to use them to determine export patterns. The duties initially applied in James I's reign lapsed on his death. In the early 1450s the most important burghs secured exemptions from these customs, and it took the Crown at least three decades to force all the other the other burghs to re-introduce the levies. From the mid-1460s the "exempt" burghs only customed the shorlings, scaldings, futefells, and lambskins exported by non-burgess. This continued until 1516-40 when the Exchequer managed to force most of these burghs to custom all the sheep and lambskins. Some managed, for limited periods, to reassert their former rights, but far more importantly, Edinburgh's burgesses may have continued to enjoy freedom from customs on a number of fell exports. These are very tentative conclusions, and without knowing the exact customing procedure in Edinburgh, the biggest single exporter, the fell customs cannot be used to determine accurately Scottish fell exports. In addition, different categories of fells were often customed together, with or without making a specific reference to the practice, customars tended to estimate the number of fells exports, and a variety of export bans were imposed. General, if uncertain, statements can be made about fell and pelt exports, primarily in the second half of the sixteenth century, but the fell custom account figures cannot be used as accurate evidence of exports.

### V. CONCLUSION

The first surviving enrolled custom accounts, 1328-33, and scattered references prior to this, show that the Scottish custom system was established to levy duties on hide, woolfell, and, most importantly, wool exports. These remained the only goods contained in the custom accounts up to the 1420s. Their importance, in terms of Crown revenue, was assured after the duties were doubled, tripled, and subsequently quadrupled between 1358-68 in an effort to fund David II's ransom payments and extravagant lifestyle. Thereafter the custom duties

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<sup>108</sup> P.G.B. McNeill and H.L. MacQueen (eds.), *Atlas of Scottish History to 1707* (Edinburgh, 1996), p. 254.

and the customing procedure for wool, woolfells, and hides remained largely unaltered until the close of the sixteenth century.<sup>109</sup> Importantly, the duties never lapsed, nor were they subject to specific exemptions or immunities.<sup>110</sup> During James I's reign custom duties on various other sheep and lamb skins, and wild animal pelts were introduced. The history of these customs was in stark contrast to the pattern of those for wool, woolfells, and hides. There were periods when miscellaneous fells were not subject to any custom duties, and numerous customs exemptions were granted. It is often impossible to establish accurately when and where these exemptions were applied. As a result their customs are not accurate reflections of exports, especially when measured against the thorough customing of wool, woolfells, and hides.

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<sup>109</sup> In January 1399 the burghs secured an agreement whereby the customs on wool, woolfells, and hides were not to be increased, on condition that they paid part of a general contribution. *A.P.S.*, I, p. 574.

<sup>110</sup> Melrose Abbey received an exemption from their wool export customs, but wool continued to be charged in the custom accounts. Individuals were of course sometimes given remissions on customs, which included wool, woolfells, and hides, but the items were still included in the custom accounts.



## CHAPTER 7

### TEXTILES AND MISCELLANEOUS MANUFACTURES

Most Scottish goods underwent little processing prior to export, and consequently there was little scope for diversity within the products. The exception was Scotland's manufactured consumer goods, in which woollen cloth was dominant. There must have been a great variation in style, type, colour, length, width, weight and so on, a diversity that caused considerably more problems in customing, than, say, a sack of unprocessed wool. The customing procedures for woollen cloth, and for the lesser exports of linen yarn and cloth, and for miscellaneous manufactures have to be examined.

#### I. WOOLLEN CLOTH

Except for a brief period between 1439-1451, customs on woollen cloth exports appear continuously in the Scottish enrolled accounts from 1426 onwards, and woollen cloth was never subject to any export ban. The custom figures, therefore, are reasonably complete. The customing procedure employed for cloth, however, was by far the most complex, making it difficult to understand how the custom figures relate to real exports. The difficulties are exacerbated because virtually the only evidence relating to the cloth customing procedure comes from the enrolled custom accounts. Since this was the final stage in the customing process it can only tell part of the story and can be potentially very misleading.

##### (a) 1398-1452

In 1398 Parliament imposed custom duties on a variety of goods for the first time, including a duty of 2s. per £ value on all grey, white, or coloured cloth exported by land or sea.<sup>1</sup> These duties do not appear to have been enforced, and cloth exports remained free from customs

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<sup>1</sup> *A.P.S.*, I, p. 571.

for a further quarter of a century.<sup>2</sup> On his return from captivity, James I quickly identified this as a potential source of royal income and introduced customs on cloth exports in 1425. These cloth customs appear in the custom rolls throughout his reign, and in some jurisdictions separate cloth customars were even appointed.<sup>3</sup> In common with the other duties imposed by James I, the cloth customs lapsed a year after his death, and were not resurrected until fifteen years later.<sup>4</sup>

The cloth customs introduced by James I in 1425 were set at 2s. per £'s worth of cloth exported,<sup>5</sup> the same rate as enacted in 1398. The accounts generally give only the total monetary custom for cloth, but they appear to have been calculated in accordance with the act. In Elgin's 1431 account, for instance, white and grey cloth valued at £20 14s. was customed at £2 1s. 5d., hence an *ad valorem* duty of 2s. per £.<sup>6</sup> Only two accounts listed the quantity of cloth exported. In 1431 white and grey cloth was exported at Stirling and Ayr. In Stirling 64½ dozen<sup>7</sup> were customed at £2 1s. 9d. (i.e. each dozen was customed at 7.77d.); and at Ayr the 24 dozen paid £1 11s. 1d. in customs (i.e. 16d. per dozen). The straight average of the custom duties per dozen is 12d. per dozen. Since the accounts rarely list the

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<sup>2</sup> Scotland was evidently exporting cloth during this period; the Netherlands in the late fourteenth and fifteenth century only permitted imports of the cheap and inferior Scottish cloth, namely, narrow cloth without a nap, of grey and white wool, which was commonly undyed. A.W.K. Stevenson, *Trade Between Scotland and the Low Countries in the Later Middle Ages* (unpublished Aberdeen Ph.D. thesis, 1982), p. 158.

<sup>3</sup> Edinburgh, Linlithgow, Dundee, and, in 1431, Stirling rendered separate cloth accounts; Aberdeen had accounts for salmon and cloth. Elsewhere cloth was included in the normal custom accounts, although it may have been customed by separate officials. For instance, in 1429, James Schaw and David Story were Inverkeithing's customars, but the cloth contained in their account was stated as being customed by Henry Winsister.

<sup>4</sup> D. Ditchburn noted a reference in 1444 to Scottish merchants sending large amounts of cloth to Danzig. He concluded this was likely to have been re-exports of English cloth, since, despite the custom duties lapsing after James I's death, the Crown would have been unwilling to allow "such a profitable source of income to disappear". "Trade with northern Europe, 1297-1540" in M. Lynch *et al.* (eds.), *The Scottish Medieval Town* (Edinburgh, 1988), p. 167, note 46 on p. 177. It is impossible to establish the likely origin of the cloth without knowing the exact quantities and types of cloth, but it is reasonable to suppose it might have been Scottish cloth, for large quantities were exported prior to the duties lapsing.

<sup>5</sup> *A.P.S.*, II, c. 19, p. 8.

<sup>6</sup> In North Berwick's 1434 account a duty of 2s. per £ is also given; the value of the cloth was £3 15s. 5d. and the customs were 7s. 6½d. In Edinburgh's 1435 account the customs on Nicholas Hude's woollen cloth was remitted. His cloth was valued at £20, and customs were £2 8s. (new money), equivalent to £2 old money. Since the value of the cloth was probably in old money, the custom duty was 2s. per £.

<sup>7</sup> A dozen, or 12 ells, was the standard measure for cloth in the Scottish custom system.

quantity of cloth exported in this period, the monetary customs can be divided by 12d. to tentatively determine the quantity of dozens exported.<sup>8</sup>

(b) 1452-1514/17

Cloth export customs were re-introduced in 1452, following James II's maturity, quickly and comprehensively compared with other lapsed customs.<sup>9</sup> *Ad valorem* custom duties theoretically remained in place. The accounts frequently describe the customised cloth as being of "various" or "equal" prices. At Haddington in 1458-60, Ayr in 1458, and in Kirkcudbright 1464, the value of the cloth was listed as 10s. per dozen and customs were 12d. per dozen, indicating a duty of 2s. per £ was levied. This rate was mentioned in the enrolled custom accounts for Perth in 1465-66; Dundee in 1458-61 and 1464; and Kirkcudbright in 1459, and also in Haddington's 1504 particular account.<sup>10</sup> Alternatively, *ad valorem* rates, albeit at the slightly lower rate of 1s. 8d. per £, can be identified in Stirling's 1512 account and Haddington's 1456-57 accounts.<sup>11</sup> Over time, however, it is likely that the customers' cloth valuations, and hence the duties they levied, became fixed and standardised, and presumably bore less and less resemblance to the cloth's genuine value. The Exchequer, as a consequence, periodically demanded that cloth be customised at 2s. per £.

Even by the mid/late 1450s a number of burghs had begun to custom cloth at 12d. per dozen, based on the pretext that the cloth was valued at 10s. per dozen and paid duties of 2s. per £.<sup>12</sup> This quickly became a convenient custom rate per quantity. The accounts for

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<sup>8</sup> This figure of customs of 12d. per dozen is used in Appendix 1, pp. 343-485. Alternatively, a weighted average of the Stirling and Ayr customs per dozen (10d. per dozen) could be used, or Stirling's duty could be used to represent East coast ports, and Ayr's the West coast.

<sup>9</sup> In the years immediately following the re-introduction of the customs, cloth was regularly described as white woollen cloth. Edinburgh 1453, Haddington 1452-55, North Berwick 1453, Linlithgow 1453-59, Stirling 1452-54, Perth 1452-55, Dundee 1453-54, and Aberdeen 1453. Thereafter there are few such references.

<sup>10</sup> NAS, E.71/16/1.

<sup>11</sup> In 1512 Stirling customised 65 dozen broad cloth which was valued at 20s. per dozen at £5 8s. 4d., and a further 57 dozen broad cloth, valued at 18s. per dozen, paid £4 6s. 3d. In Haddington's 1457 account, cloth was valued at 12s. per dozen and paid customs of 12d. per dozen, hence an *ad valorem* duty of 1s. 8d. per £. The burgh's 1456 account listed 24 dozen cloth valued at 12s. per dozen and paying duty of 14s. This cloth custom figure, however, appears to be a clerical mistake and it should read 24s., which would ensure the account's sub totals corresponded, indicating a duty of 1s. 8d. per £.

<sup>12</sup> In 1457 Haddington's cloth was customised at 12d. per dozen, since it was valued at 12s. per dozen and customs were 1s. 8d. per £. By 1458-60 the burgh valued the cloth at 10s. per dozen and paid

Ayr in 1464 and Kirkcudbright in 1465 explicitly state the custom duty was 12d. for each dozen. The Exchequer, however, did not wish the precedent to continue and in 1467 demanded that the custumars of Edinburgh, who had customed all cloth since 1455 at 12d. per dozen, were to charge customs of 2s. per £. Similar sentiments may have been expressed to custumars in other jurisdictions.

(i) EAST COAST, EXCEPT EDINBURGH. The East coast custom jurisdictions, except Edinburgh, in the forty years after 1470 generally only classified their cloth exports as either broad or narrow cloth, and different custom rates were applied accordingly. Frequently only one type of cloth was exported, so that only a single rate per dozen was used. Often, when this happened, the accounts state the cloth was of "equal prices". More commonly, both broad and narrow cloth was exported. Linlithgow in 1512 and 1515, for instance, customed narrow cloth at 12d. per dozen and broad cloth at 18d. per dozen. It was more normal, however, for the quantities and the monetary customs to be totalled and recorded together in the enrolled accounts. Linlithgow's accounts in 1511 and 1513 only give single figures for the number of dozen and the monetary customs; the duties per dozen can be calculated as 14.6d. and 14.8d. in the respective years.<sup>13</sup> In numerous other accounts the duties per dozen can be calculated at uneven rates, simply because they combine a number of different rates and totals.<sup>14</sup> Frequently the cloth is described as being of "various prices" in these accounts.

The principle of *ad valorem* duties was theoretically used in these East coast jurisdictions. The actual relationship, however, between the custom valuations for the broad and narrow cloth and their genuine price cannot be determined. The Exchequer may have been satisfied and accepted a duty of 12d. per dozen on narrow cloth (i.e. a valuation of 10s.

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customs of 2s. per £, hence 12d. per dozen was collected. This was also the case at Ayr 1458 and Kirkcudbright 1464.

<sup>13</sup> In 1502, 1503, and 1504 the total cloth in Dundee's accounts was assessed at 28.8d., 21.8d., and 23.1d. per dozen. In each year Andrew Abircrummy received remissions on his cloth exports; these were customed at 24d. per dozen. Dundee's 1510 account included cloth customed at 24d. per dozen, and broad cloth at 30d. The burgh's next account contained cloth at 24d. and kersey at 12d. per dozen. In 1512 Stirling's custumar even made a distinction between broad cloth customed at 18d. and 20d. per dozen.

<sup>14</sup> It should be noted that in Haddington's 1504 account all the cloth was customed at 28.8d per dozen. This was not a combination of various rates; rather all the cloth was valued at 24s. per dozen, and the *ad valorem* rate of 2s. per £ was applied. NAS, E.71/16/1. The same duty was also charged at Haddington 1502-3, 1506 and Dundee 1502.

per dozen), as this rate was used from at least the early 1490s.<sup>15</sup> The broad cloth valuation, on the other hand, appears to have been more variable, and it may have been increased during the same period.<sup>16</sup> In the last two decades of the fifteenth century, regional variations in cloth valuations emerge. Presumably this was due to a combination of raised broad cloth duties and changes in the proportion of broad to narrow cloth exports. The average cloth customs were around 13-14d. per dozen for all the East coast jurisdictions, except Edinburgh, from the early 1470s until the middle of the 1480s. The Fife ports and Linlithgow continued to custom cloth at this level until 1513. In 1502 Linlithgow's customars were charged 21.6d. for each dozen, but they received an allowance, since only 12.8d. per dozen had been collected. Linlithgow's duties quickly returned to the lower level and remained there. It is conceivable that Linlithgow and the Fife jurisdictions were predominantly exporting narrow cloth. The situation was somewhat different in the other East coast burghs. The duties per dozen charged in the Tay port accounts rose steadily from the mid-1480s, peaking around 28d. per dozen by the start of the sixteenth century<sup>17</sup> before falling slightly and stabilising around 24-25d. for the remainder of the decade. Presumably the Tay ports had a high proportion of broad cloth exports. East Lothian, Stirling, and Aberdeen may also have exported a high and increasing proportion of broad cloths. The real upward ascent of customs per dozen, however, only began in the early sixteenth century. The duties increased sharply as the Exchequer brought them into line with the rates charged in Tayside. In Stirling's 1502 account, cloth was customed at 23.2d. per dozen, but the customars had only collected 14½d. per dozen. Similarly Haddington's cloth was customed at 28.8d.; an allowance two years later might suggest that only 23½d. had been collected. The rates did not, as in Linlithgow, immediately revert to their former low levels. The Exchequer's action had ensured there were no discrepancies in the custom rates applied for similar types of cloth exports.

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<sup>15</sup> Narrow cloth was customed at 12d. per dozen in both Kirkcudbright and Whithorn in 1493, Dysart 1503, and Linlithgow 1512, 1515. Additionally, in Edinburgh's 1504 account there was a remittance for 30 dozen kersey at 12d. per dozen to Sebastian Dornado, Spaniard, and in 1512 Dundee customed kersey at 12d. per dozen.

<sup>16</sup> Broad cloth was customed at 18d. per dozen at Linlithgow in 1512 and 1515; 18d. and 20d. per dozen at Stirling in 1512; and 30d. per dozen at Dundee in 1510. In the second decade of the sixteenth century all broad cloth came to be customed at 30d. per dozen, while the 12d. per dozen on narrow cloth persisted.

<sup>17</sup> In Cupar's 1502 account, cloth was charged at 24s. per dozen, but an allowance was made because the customars had only collected 15.6d. per dozen. The customars were ordered to custom 2s. per £ in future.



(ii) THE WEST COAST. The West coast burghs from 1454 onwards customed all their cloth exports at 12d. per dozen. Initially, at least, this was supposed to represent an *ad valorem* duty. In the East coast this duty was the normal rate applied for narrow cloth exports, and this appears to have also been the case on the West coast.<sup>18</sup> Perhaps this was the standard type of cloth exported from the West coast, which would explain why it was universally applied. In custom accounts for Ayr and Irvine in 1502, cloth was charged at 18d. per dozen, but the customars received an allowance since they collected only 12d. per dozen. The Exchequer demanded that the customars in future were to levy cloth customs of 2s. per £. Yet 12d. per dozen continued to be collected, and apparently this was an acceptable rate to the Exchequer.

(iii) EDINBURGH. From the mid-1450s the customars of Edinburgh charged 12d. per dozen for all the burgh's cloth exports. In 1467 the Exchequer ordered them to collect 2s. per £. The following year 2,114 dozen cloth was customed at £109 11s. 4½d., so that, unless this contains a clerical mistake, customs were 12.4d. per dozen. If this was an *ad valorem* rate the procedure did not last. The burgh quickly reverted to customing all cloth at 12d. per dozen, and continued to do so until the close of the sixteenth century. Customs of 12d. per dozen was the standard rate used for narrow cloth in the other East coast burghs. It is, however, highly unlikely that Edinburgh's cloth exports, which were by far the biggest in Scotland and presumably also extremely diverse, were confined to narrow cloth. In fact, in 1516, there is a reference to the king's "metter of claith" traditionally receiving from "each hundreth braid claith 8d., and of each hundreth narow claith 4d.", from all strangers exporting cloth from Edinburgh.<sup>19</sup>

There are two possible scenarios why Edinburgh's customars only applied the narrow cloth custom rate for all the cloth exports. All of Edinburgh's cloth exports, regardless of whether they were broad or narrow cloth, might have been customed at 12d. per dozen. If this were the case, it represents a significant privilege for all those exporting cloth from the burgh, especially as the customs on broad cloth exports are likely to have increased. Edinburgh's burgesses, like those in a number of other burghs, were exempt from paying customs on their miscellaneous fell exports. It is conceivable, therefore, that the

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<sup>18</sup> Narrow cloth was customed at 12d. per dozen in both Kirkcudbright and Whithorn in 1493.

<sup>19</sup> *Edin. Recs.*, I, pp. 163-4.

burgh received exemptions from the higher cloth custom rates. There is, however, no surviving evidence of such a privilege, whereas there are numerous references in charters concerning the burgh's being granted freedom from fell customs.

Alternatively, the vast varieties of cloth which were presumably exported from Edinburgh might, for the purposes of customing, have been converted into their narrow cloth equivalent and then customed at 12d. per dozen. A broad cloth, for instance, may have been considered as  $1\frac{1}{2}$ , 2, or  $2\frac{1}{2}$  narrow cloths, depending on the ratio of custom duties at the time. Such a system was in operation in England, where the different varieties, widths and types of cloth exports were converted into a single standard "cloth of assize"; exports of three kerseys, four dozens, or two northern narrow dozens, for example, were be considered to be the equivalent of one "cloth of assize" for custom purposes.<sup>20</sup> There is no surviving evidence of a similar procedure being adopted in Edinburgh. The chances of such evidence surviving, however, would be remote, and so it should not rule out the possibility that Edinburgh's customars used some form of standard cloth.

The exact cloth customing procedure employed in Edinburgh cannot be determined. All cloth exports, regardless of width, might have been customed at 12d. This would imply that cloth exported from Edinburgh paid significantly lower duties than that from neighbouring ports. There is no evidence that the Crown gave the burgh such a privilege, and meanwhile the Exchequer appears to have found the procedure adopted perfectly acceptable. It is more likely that some form of custom conversion was made by the customars to give a standard narrow cloth. All these standard custom cloths were then customed at 12d. per dozen. The trends in the custom revenue received are certainly similar to those burghs which make allowance for broad cloth exports. This would suggest Edinburgh's accounts did take into consideration an increase in broad cloth exports and/or their raised custom duties. This standard cloth interpretation is used for Edinburgh's cloth exports in the tables of exports in Appendix 2.

(iv) OVERVIEW. It is difficult to determine the precise cloth customing procedures in 1452-1514/17. It is obvious, however, that the dozens of narrow or broad cloth in the accounts are

not directly comparable. The custom value for a dozen broad cloth, for instance, was sometimes 2½ times greater than a dozen narrow cloth.<sup>21</sup> For analytical purposes, custom revenue rather than the custom quantities should be considered. This is simply done by dividing each burgh's cloth custom revenue by 12d. to determine the number of standard dozen of narrow cloth. This is the most obvious rate since it was used at Edinburgh, where the majority of cloth was customed. It has to be hoped that the Exchequer ensured there were no large long-term discrepancies in the customs collected in different jurisdictions for an identical amount of the same cloth.

### (c) 1514/7-1600

In the period from 1452 to 1514/17 cloth was theoretically customed by value, but over time the rates applied may have become ossified. By the end of the period it generally appears that narrow cloth was customed at 12d. per dozen and broad cloth at 18d. or 24d. per dozen. After 1514/17, customing cloth on the basis of quantity rather than value, which had in reality occurred with the use of ossified rates, became the officially accepted standard.

In 1514 the Exchequer demanded that the customar of Dundee, and customars elsewhere, levy 2s. 6d. custom on every dozen of coloured and non-coloured woollen cloth exported. The rate was presumably for broad cloth, as was stated in a somewhat later act referred to by A.L. Murray.<sup>22</sup> This is the first official acknowledgement and acceptance that cloth was customed by quantity, rather than value. Within three years, every burgh was customing cloth at either 12d. or 30d. per dozen.<sup>23</sup> There are numerous references to the higher rate being for a broad cloth,<sup>24</sup> and the 12d. per dozen continued to be applied to a

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<sup>20</sup> D. Burwash, *English Merchant Shipping, 1460-1540* (Toronto, 1947), p. 203. I. Blanchard, *The International Economy in the 'Age of Discovery', 1470-1570*. Vol. I, *The English Merchants' World* (forthcoming), p. 293. T.S. Willan, *The Tudor Book of Rates* (Manchester, 1962), pp. xv, 74.

<sup>21</sup> In 1510, for instance, the broad cloth at Dundee was customed at 30d. per dozen; the following year the burgh's accounts include kersey at 12d. per dozen.

<sup>22</sup> *E.R.*, XIV, p. 564. A. Murray, *The Exchequer and Crown Revenue of Scotland, 1437-1542* (unpublished Edinburgh Ph.D thesis, 1961), p. 145.

<sup>23</sup> The only exemptions were Inverkeithing, which customed cloth at 18d. per dozen in 1519-20, and the 24d. per dozen charged by Cupar in 1526.

<sup>24</sup> The cloth customed at 30d. per dozen was specifically stated as being broad cloth in Linlithgow 1559, 1563; Inverkeithing 1545; Burntisland 1562, 1580; Cupar 1557-65; Perth 1595 (actually customed at 32d.); and Dundee 1547.

narrow cloth, which was also sometimes referred to as kersey.<sup>25</sup> Thereafter these two rates remained in force until the close of the sixteenth century. Normally jurisdictions consistently used one or other of these rates, although on occasion some switched between standards,<sup>26</sup> and in the middle decades of the century some accounts listed both.<sup>27</sup>

To some extent the customs for broad cloth and narrow cloth were merely accounting totals. Edinburgh, for instance, continued to custom all its cloth exports at 12d. per dozen; this is likely to have been a standard narrow cloth. Different widths of cloth were presumably converted into their standard narrow cloth equivalent. After 1514/17 other burghs used a similar procedure, though the standard was not necessarily always a narrow cloth. In the mid-1560s, for instance, during a period when Perth's customs were leased, the burgh customed kerseys and sent them to Edinburgh.<sup>28</sup> It is not unlikely that the burgh exported kerseys on other occasions, yet all the burgh's cloth, from 1516-91 was customed at the broad cloth rate. Any kerseys or narrow cloth would simply have been converted into broad cloths for customing purposes. It is not known how the customars converted cloths into standards. It may simply have been on the basis of the relative custom value of broad and narrow cloth. Perhaps as with the English "cloth of assize", consideration was also made of the different types of cloth, values, and degree of finishing. The Exchequer's order in 1514, however, that both coloured and non-coloured cloth should pay 2s. 6d. per dozen tends to suggest that, for finishing at least, no distinction was made.

During the 1590s the standard narrow cloth continued to be customed at 12d. per dozen, while the custom duties on broad cloth were increased to 32d. per dozen.<sup>29</sup> This was the same duty levied on stulling cloth from the 1570s, though the width of stulling cloth is

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<sup>25</sup> Stirling's 1541 account stated the cloth customed at 12d. per dozen was narrow cloth; see also Stirling 1541; Inverkeithing 1545, 1572; Dysart 1559; Burntisland 1561-62; Cupar 1556-65; Ayr 1565-74, 1594, 1597; Irvine 1557. In Stirling's 1555 and 1556 accounts the narrow cloth was called kerseys; likewise kerseys were customed at 12d. per dozen in Aberdeen 1539 and Linlithgow 1558.

<sup>26</sup> Cloth was customed at 30d. per dozen in Haddington's accounts in 1515-45, 1553-63, 1580 (b), and 12d. in 1551, 1574-80 (a), 1590, 1596. In the same way, Linlithgow, Stirling and Kinghorn shifted between customing at the two rates.

<sup>27</sup> Burghs customing cloth at both 12d. and 30d. per dozen in the same account; Linlithgow 1558-59; Stirling 1541, 1555-56, 1558; Inverkeithing 1545; Dysart 1559; Burntisland 1561-62; Cupar 1556-65; Aberdeen 1539.

<sup>28</sup> NAS, E.71/32/3, f. 4v.

<sup>29</sup> In Perth's 1595 account, broad cloth was customed at 32d. per dozen. In Ayr narrow cloth was customed at 12d. in 1594 and 1597.

unclear.<sup>30</sup> The 32d. per dozen duty first appeared at Montrose in 1590, then Perth in 1591, Stirling 1592, Dundee 1593, and at Aberdeen from 1596. The different dates of introduction were presumably dependent on the time customars took to respond to the Exchequer's demands. Individual burghs, however, sometimes reverted to using the lesser rate; in 1595 Perth, for instance, customed cloth at 30d. per dozen.<sup>31</sup> This may have been due to confusion about the actual duties and the customars pleading ignorance of the rates rather than minor variations in the types of cloth being exported.

In his review of the customs in the 1590s, Sir John Skene, Clerk Register, bemoaned the *pro rata* customs used for woollen cloth exports. He reasoned that if the old custom duty of 2s. per £ were enforced, the Crown would receive 12s. per dozen cloth since "wollin claythe is coft now for £6 at the best chaip", rather than the current 12d. per dozen.<sup>32</sup> Consequently, in 1597, it was declared that the valuation and custom of Scottish cloth was to conform to the acts of Parliament. For custom purposes all cloth and plaiding was to be valued at £6 per dozen,<sup>33</sup> and from 1598 all the woollen cloth in the enrolled accounts was customed at 12s. per dozen.<sup>34</sup> The custom duty was assessed at 2s. per £, but, of course, it was still a duty on the quantity exported. It also marked the end of the two different standard cloths used by the customars. Skene implies the new rate was to be for a standard narrow cloth, stating cloth paying 12d. per dozen should now pay 12s. He was hardly impartial, but it appears that the single custom duty of 12s. per dozen was based on a standard narrow cloth.<sup>35</sup>

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<sup>30</sup> See pp. 175 below.

<sup>31</sup> See also Stirling which in 1592 customed cloth at 32d. The following year the duty was 30d. and in the next two accounts 32d. was charged. Irvine in 1594 and 1595 customed cloth at 32d. per dozen before returning to the narrow cloth standard.

<sup>32</sup> A.L. Murray, "Sir John Skene and the Exchequer, 1594-1612", *Miscellany One* (Edinburgh: Stair Society, vol. 26. 1971), p. 145.

<sup>33</sup> *Halyburton's Ledger*, p. cxiv.

<sup>34</sup> The 12s. per dozen represents 10% (i.e. 2s. per £ value) of the stated 10s. per ell value. In 1612 the custom duty was still 12s. per dozen; woollen cloth and plaiding was valued at 20s. per ell, but the import and export duties were 1s. per £. These values can be compared with the 1611-14 Export Survey which valued cloth and plaiding at £5 per dozen. *Halyburton's Ledger*, p. 336; Appendix 11, p. 813.

<sup>35</sup> In the mid-1590s Edinburgh customed around 6,000 dozen cloth per year at 12d. per dozen; the introduction of the higher custom rate does not seem to have drastically affected the figures. In other words, it appears the standard cloth at Edinburgh did not change. In Perth a standard broad cloth was applied, and when the 12s. duty was used, the quantity increased dramatically. This may indicate that a smaller standard cloth was now being used. In Dundee, however, the change from a broad cloth to the 12s. standard did not have any effect on the quantities customed.



In the 1570s, stulling began to be listed in the enrolled accounts. This comprised goods exported to Norway in return for timber.<sup>36</sup> The amount of customs it generated was small and there are only occasional references to the exact commodities involved. Most of the references to stulling are for salt and malt, although cloth is sometimes also mentioned. The Pittenweem Group's 1577 particular account, for instance, recorded 24 dozen cloth exported as stulling, roughly a quarter of the jurisdiction's stulling custom revenue.<sup>37</sup> Given how small custom receipts for stulling were, even if all the entries described simply as stulling were cloth, it would only account for a tiny proportion of Scottish cloth exports. Perhaps more significantly, the customs for stulling cloth were 32d. per dozen, slightly higher than the broad cloth rate. This discrepancy may have been due to the duty being imposed at a more recent date, yet it is unlikely that merchants would be willing to pay a higher duty merely so that cloth could be called stulling. It is more plausible that the cloths were slightly different. Perhaps they were finished to a higher degree, more necessary if they were going to Norway. Blue kerseys, for instance, were exported at Montrose as stulling in 1576.<sup>38</sup> Some of the stulling cloth was linen, which could be legally exported as stulling, but not otherwise.<sup>39</sup>

During the period 1514/17-1597 cloth exports were customised as either a standard narrow or broad cloth. In the final accounts of the century only the former was used. To be able to analyse the quantities exported in this and earlier periods, a single standard cloth must be used. Studies relying solely on the quantities in the accounts are misleading; the dozens are not directly comparable, and recourse must be made to the duties the Exchequer charged on them.<sup>40</sup> The most logical standard would be a narrow cloth at 12d. per dozen. This was almost the only rate used at Edinburgh, the biggest cloth exporter, and it was widely used in other jurisdictions. To create a uniform narrow cloth for analytical purposes the cloth custom revenues should be divided by 12d., except those from 1598 onwards,

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<sup>36</sup> See Appendix 8, pp. 788-90.

<sup>37</sup> NAS, E.71/6/9, ff. 10-11v. In 1580 the Pittenweem Group's enrolled account called the woollen cloth stulling and two years later the 22 dozen woollen cloth were called Norway stulling. Montrose exported 7 dozen linen cloth, 1 dozen kersey and 4½ dozen blue kerseys as stulling in 1576. E.71/12/1, ff. 2v.-3.

<sup>38</sup> NAS, E.71/12/1, f. 2v.

<sup>39</sup> Malt and salt exports termed stulling likewise gained exemption from export bans.

<sup>40</sup> For instance, between August 1536 and August 1540, 80% of the dozens in the accounts were at Edinburgh, yet the burgh's cloth custom revenue was only 70%. This was because Edinburgh customised cloth at 12d. per dozen while in a number of other jurisdictions cloth was customised at 30d. per dozen.

where they should be divided by 144d.<sup>41</sup> These figures are in reality merely measures of the custom revenues collected. One has to assume the Exchequer ensured there was no great disparity in the rates applied in different jurisdictions.

## II. "NEW DRAPERY" CLOTH EXPORTS

The enrolled custom accounts are not particularly informative about the types of cloth exported. The broad and narrow cloths were primarily custom measures rather than descriptions of the actual cloth exported. The surviving particular accounts are only slightly more informative. In all, the custom records list kerseys, medlay, black medlay, french cloth, plaids and plaiding, blue, grey and white cloths, and white "woidis".<sup>42</sup> Merchants' ledgers would, no doubt, be considerably more revealing about the types of exports. The Scottish woollen cloth exports can generally be assumed to be the product of the old heavy drapery, woollen cloth made from short-stapled carded wool, used for both warp and weft, and then fulled. A traveller in the late 1590s noted "eastern Scots carry into France course cloathes, both linnen and woollen, which be narrow and shrinkle in the wetting".<sup>43</sup> Pure worsteds, on the other hand, used long-staple combed wool for both warp and weft and were not fulled, and they may also have been exported and simply incorporated into the records as standard cloths. In the final decade of the century a different type of cloth began to appear in the custom records, the product of the "new drapery". There were numerous varieties of "new drapery" cloths, but primarily they can be characterised as being cheaper, lighter, and using less wool than the old heavy drapery cloths.<sup>44</sup>

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<sup>41</sup> It is impossible to determine the exact quantities of woollen cloth exported as stulling, but even if all the unnamed stulling was cloth, which is highly unlikely, it still would represent only a minuscule proportion of cloth exports.

<sup>42</sup> NAS, E.71/32/3, f. 5; 32/7, ff. 5v., 6v.; 32/8, ff. 8-8v.; 32/10, ff. 2-2v.; 32/13; 13/1, f. 4v. Haddington 1590.

<sup>43</sup> *Early Travellers in Scotland*, edited by P. Hume Brown (Edinburgh, 1973), p. 87. This can be compared with the late fourteenth and fifteenth century description of Scottish cloth being a narrow cloth without a nap, of grey and white wool and commonly undyed, see note 2 on p. 166 above.

<sup>44</sup> D.C. Coleman, "An Innovation and its Diffusion", *Economic History Review*, Second Series, XXII, (1969); N.B. Harte (ed.), *The New Draperies in the Low Countries and England, 1300-1800* (Oxford, 1997); E.M. Carus-Wilson, "The Woollen Industry" in M.M. Postan and E. Miller (eds.), *The Cambridge Economic History of Europe. Vol. II, Trade and Industry in the Middle Ages* (Cambridge, 1987); I. Blanchard, *The International Economy in the 'Age of Discovery', 1470-1570. Vol. I, The English Merchants' World* (forthcoming). There are no detailed studies of the Scottish medieval cloth industry.

In 1590 a web of say was customed at Aberdeen and exported from Edinburgh.<sup>45</sup> It was not listed in Aberdeen's enrolled account, so presumably it was customed along with the burgh's other cloth. Exports of Scottish says and grograms<sup>46</sup> were listed separately in Edinburgh's enrolled custom accounts in 1590-93. This constituted a very small trade, and if any other burgh participated their exports would presumably have been minuscule.<sup>47</sup> It is likely to have been a new trade and presumably a direct result of the attempts to establish "new drapery" production in Scotland in the late 1580s. Foreigners were to come to Scotland to produce and instruct the lieges in producing "searges, growgrams, fusteanis, bombesies, stemmingis, beyis covertouris of beddis and others". Similar attempts were made in the early seventeenth century, suggesting that this project, and indeed the others which followed, had no lasting impact.<sup>48</sup>

### III. LINEN CLOTH AND YARN

In the late 1590s, the English traveller Fynes Moryson wrote that Scotland exported coarse linen and woollen cloth to France, and linen cloth and yarn to England. It has also been calculated that in 1599-1600 London alone imported 18,000 ells of Scottish linen cloth.<sup>49</sup>

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<sup>45</sup> NAS, E.71/32/10, f. 2.

<sup>46</sup> Grograms were a coarse fabric made of silk, mohair and wool, which was stiffened with gum. Says or serges were a lightweight cloth usually made from worsted or woollen yarn.

<sup>47</sup> Edinburgh's customs on Scottish says and grograms exports amounted to £14 14s. between October 1589 and November 1593. The quantities exported were not listed. In 1612 the custom duties were 2s. per piece of Scottish grogram and 4s. per piece of Scottish say. *Halyburton's Ledger*, pp. 337, 339. Supposing similar rates were charged in the early 1590s, it would indicate that only 70 to 150 pieces were exported over the entire four year period. In 1591 Cupar customed cloth called say (5s. custom). It was not listed as being of Scottish making, and it could be a re-export, although Cupar was not a burgh that participated in the re-export trade to any great extent.

<sup>48</sup> *A.P.S.*, III, pp. 507-9. T. Pagan, *The Convention of the Royal Burghs of Scotland* (Glasgow, 1926), pp. 208-10. I.F. Grant, *The Social and Economic Development of Scotland Before 1603* (Edinburgh, 1930), pp. 462-4, 467-70. The complaints about "grite abuisse and imperfectiones" in Scottish cloth production were likely to be the result of rising wool prices, and consequently a decline in cloth's wool content, rather than a deterioration in the workers' skills. In 1567 Parliament stated cloth was to be in no way "flokkit", a process which used the cheapest grades of wool. Four years later the Convention of Royal Burghs banned raw wool exports, allegedly to ensure destitute craftsmen and poor labourers were kept in work. The prime aim may have been to reduce the price of wool. There followed similar bans in the 1580s and 1590s. *R.C.R.B.*, II, p. 108; *A.P.S.*, III, p. 41; and Chapter 6, pp. 140-4 above.

<sup>49</sup> S.G.E. Lythe, *The Economy of Scotland in its European Setting, 1550-1625* (Edinburgh, 1960), p. 222. These presumably were in English ells; a fifth bigger than the Scottish ell, hence 21,600 Scottish ells were exported to London. For measures R.E. Zupko, *A Dictionary of Weights and Measures for the British Isles: the Middle Ages to the Twentieth Century* (Philadelphia, 1985), p. 119.



The Scottish Export Survey suggests that 23,100 ells of linen cloth was exported by sea from Scotland per year in 1611-14, and combined with exports of linen yarn, it was roughly equivalent in value to the woollen cloth and plaiding exports.<sup>50</sup> Linen cloth and yarn exports, therefore, were substantial in the early seventeenth century. This is all the more unusual since linen cloth and yarn scarcely appear in the sixteenth century custom accounts.

Linen cloth first appeared in the custom accounts in Edinburgh's 1550 account.<sup>51</sup> A huge quantity was exported in 1551, but in the following four years Edinburgh exported only small quantities of linen or canvas. These entries, and in particular the Holland cloth exported in 1552,<sup>52</sup> can be assumed to be re-exports. Linen cloth next appeared in 1556, as Cupar customed two dozen linen cloth, at 6d. per dozen, and Dysart customed 10s. of linen cloth. In the following year linen cloth was exported from Edinburgh, the first time linen had been mentioned by name at the burgh since 1551. There were further small quantities of linen cloth, called canvas, at Edinburgh in 1561, and linen cloth in Edinburgh's 1567-72 account. These entries could be re-exports. Alternatively, some, or all, could be native wares, for Cupar was not a noted re-exporting burgh. Interestingly, none of the entries, except Cupar, list the custom quantities, a common practice for re-exports in the custom accounts. The custom receipts for all these entries were small. The trade, whether in re-exports, native wares, or even a combination of the two, was normally minuscule.

In 1573 Parliament banned the export of a variety of native goods including linen cloth.<sup>53</sup> It may not have been a new enactment; the act initially states that previous acts against exporting forbidden goods were to be put into execution, although no specific goods

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<sup>50</sup> In the 1611-14 Export Survey 1,925 dozen of linen and 52 dozen of harden cloth, valued at £11,705, were exported annually in addition to 17,776 lbs. of linen yarn worth £33,331. Exports of 11,821 dozen of woollen cloth and plaiding were valued at £59,574. The Survey, however, adds that the linen cloth and yarn exported to England by land were not included in the calculations. Appendix 11, pp. 813-4. It should be noted that, just as coal or victual for the ship's voyage was not customed, canvas or harden cloth used as coverings for exported goods did not pay custom duties. Yet even if it had no further use after this, it still represents a fairly significant trade. David Wedderburne, for instance, exported wheat in sacks containing about a boll; each sack needed roughly three ells of harden, at a cost of 4s. per ell, and he also exported harden cloth in its own right. Scotland may have gone from predominantly importing canvas/harden to producing her own. *Wedderburne's Compt Buik*, pp. 112-3.

<sup>51</sup> Woollen cloth customed at Aberdeen in 1465 was wrongly listed as linen cloth in printed editions of *The Exchequer Rolls of Scotland. E.R.*, VII, pp. 370-1; NAS, E.38/253.

<sup>52</sup> Described as a linen cloth in the 1612 book of rates. *Halyburton's Ledger*, p. 320.

<sup>53</sup> *A.P.S.*, III, c. 6, p. 83.

are listed. A small quantity of linen cloth was contained in Dundee's October 1573-November 1574 account, and thereafter the commodity disappears from the accounts. In December 1583, goods of Thomas Henderson in Dysart were to be escheat since he exported linen cloth, and a few months later the searchers appointed on the West coast in 1584 were instructed to seize exports of linen cloth and other forbidden goods.<sup>54</sup> The linen export ban did not extend to stulling. In 1579 the Convention of Royal Burghs desired the ending of the impediments against exporting shoes, salt, malt, or linen cloth to Norway in return for timber.<sup>55</sup> Moreover Montrose's 1576 particular account contains seven dozen of linen cloth exported as stulling.<sup>56</sup> In 1580 the burgh again customed linen cloth, which may also have been stulling. The quantity of linen exported as stulling must have been very small. The total customs receipts for stulling were inconsequential, and these included a number of considerably more important stulling commodities. In addition, small quantities of linen and hempen cloth feature in the accounts for Dumfries in 1579 and 1582; these could be re-exports.<sup>57</sup>

There were some linen and semi-linen re-exports from Edinburgh in the 1590s, but native linen cloth exports are virtually absent from the enrolled accounts. Linen cloth was recorded, along with certain other goods, in a list of custom duties levied on forbidden goods. Each dozen of linen cloth was to pay 1s., which was the same as the custom duty on narrow woollen cloth.<sup>58</sup> In the 1597 Parliament, linen cloth was again listed as a forbidden good, but it could be exported with a licence and a custom payment of 4s. per dozen.<sup>59</sup> In 1598, Burntisland exported 100 dozen linen cloth at 4s. per dozen. The same rate was given for 50 dozen cloth at Edinburgh, and 445 dozen at Dundee. In these two examples linen is not specifically mentioned, but given the similar custom rate and the apparent differentiation from the woollen cloth customed at 12s. per dozen mentioned in each account, it can probably be assumed that linen cloth was meant.

That Scotland exported linen at the close of the sixteenth century is hardly a surprise; it is more important to understand whether this was a recent development. The

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<sup>54</sup> *R.S.S.*, VIII, nos. 1657, 1862.

<sup>55</sup> *R.C.R.B.*, I, p. 76.

<sup>56</sup> *NAS*, E.71/21/1, ff. 2v.-3.

<sup>57</sup> See Chapter 3, pp. 96-7 and Chapter 14, p. 293.

<sup>58</sup> *NAS*, E.75/11.

<sup>59</sup> *A.P.S.*, IV, c. 25, p. 137.



suspicion remains that linen and woollen cloths were customised together, and were only listed separately after the 1597 revaluation of custom duties created a discrepancy in their custom duties. The sudden appearance of fairly significant quantities of linen cloth exports at the close of the sixteenth century and the start of the seventeenth century may merely be a consequence of changes in the customs administration. Yet it should be remembered that even though native linen yarn exports do not appear in the custom accounts in the sixteenth century, they were apparently three times the value of the linen cloth exported in 1611-14. This presumably reflects a trade rather than administrative development. Equally, the sudden appearance of linen cloth may reflect a genuine trade pattern, albeit assisted by the lifting of export bans and licences.<sup>60</sup>

#### IV. MISCELLANEOUS MANUFACTURES

Edinburgh's 1567-72 account included customs of 17s. for gloves, their first appearance in the custom accounts. At the same time gloves from leased or non-royal jurisdictions appear in Edinburgh's entry books of cocket.<sup>61</sup> Perth's 1574 particular account includes a memorandum stating tickets (i.e. cockets) had been directed by the customar of Perth to Dundee for gloves which were uncustomed, together with a number of other goods which were not usually customed. The auditors were "to take order and make an act" about what such goods should pay, and compel the owners to pay the said duty.<sup>62</sup> Immediately afterwards, gloves begin to appear regularly in the custom accounts. Perth began to custom gloves in 1575, with Dundee and Stirling in the following year. They do not appear in Edinburgh's accounts until the 1590s. This late arrival is presumably due to the rates not being consistently applied in all jurisdictions, and there is evidence that the duty was not comprehensively rendered in the custom accounts.<sup>63</sup> In the 1590s leather points and laces,

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<sup>60</sup> The 1612 book of rates stated a number of goods were to be exported under a licence; linen yarn was one of these commodities: linen cloth was not. *Halyburton's Ledger*, pp. 338, 341.

<sup>61</sup> In 1567, 410 pairs of gloves under the cocket of Dunfermline and Kirkcaldy were presented, to be exported from Edinburgh, and at the same time gloves customed at Perth, whose customs were leased at the time, were exported from Dundee. NAS, E.71/32/7, f. 5v.; 12/7, f. 3v.

<sup>62</sup> NAS, E.71/22/1, f. 7v.

<sup>63</sup> In Edinburgh's entry books of cocket in 1594 and 1596, cockets for Dundee, Stirling, and Aberdeen were presented, which contained gloves, but these jurisdictions' custom accounts did not contain any gloves at the time. NAS, E.71/32/12, f. 4v.; 32/13, ff. 4v., 7. This was also the case for the gloves under the cocket of Montrose presented to Dundee in 1576. Possibly the customar in the initial jurisdiction examined the goods but did not levy the king's customs on them. E.71/12/8, f. 8.

and woven hose or “Leith Wynd hose” also appeared in the accounts. Like gloves, these goods had been exported prior to this time.<sup>64</sup>

The 1611-14 Export Survey suggests that Scotland exported 40 pairs of shoes a year.<sup>65</sup> Shoes, however, do not appear in the sixteenth century custom accounts, though their trade is referred to in the closing decades. In 1573 Parliament banned the exports of shoes and barked leather, although later the Convention of Royal Burghs desired impediments on exporting shoes as stulling to be lifted. In 1581 a Parliamentary commission was set up to discuss the export of hides and shoes.<sup>66</sup> Interestingly, they were not listed in the fairly complete 1612 book of rates, so perhaps this small export trade was not customable.

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<sup>64</sup> Dunfermline and Kirkcaldy sent white hose to Edinburgh to be exported in 1559, and 40 gross of points nine years later. NAS, E.71/32/7, f. 5v.; 32/8, f. 8.

<sup>65</sup> Appendix 11, p. 813.

<sup>66</sup> *A.P.S.*, III, c. 6, p. 83; c. 9, pp. 214-5; *R.C.R.B.*, I, p. 76.

## CHAPTER 8

### SALMON

Contemporary Scots were inclined to flaunt the sheer scale of the Scottish fisheries. John of Fordun discussed the wealth of fish in the seas, rivers, and lakes, and later Bishop Leslie pondered whether there was any sea in the world that produced so great a variety and quantity of fish as the water of Ross. Page after page of Boece's or Leslie's descriptions of the country mention lochs and seas teeming with a "multitude of fish". Even the visitor Don Pedro de Ayala thought it impossible to describe the immense amount of fish, although ultimately he managed to conclude that the quantity was so great it would suffice for Italy, France, Flanders, and England. Boece makes a similar claim, before conceding that the fleets actually fishing and shipping in the Scottish waters were from France, Flanders, Zeeland, Holland, and Germany. John Major stated that fish were more plentiful in Scotland than in England, although he goes on to add that God gifted the people of the North less intelligence.<sup>1</sup> These descriptions obviously should not be taken too seriously, but together they indicate at least the vast reserves available. The size of the stocks or catches, of course, cannot now be established. The custom accounts, however, can demonstrate the export trade. This chapter will examine the reliability of these custom figures for fresh water fish, while the next chapter focuses on sea fish.

#### I. DEVELOPMENT OF THE SALMON CUSTOMING SYSTEM

##### (a) 1398-1438

In 1398 Parliament imposed custom duties of 1d. per salmon or pair of grilse (young salmon) exported. A few months later, however, the burghs agreed to pay their share of the general contribution on condition that salmon remained free from customs, and the duties on wool,

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<sup>1</sup> *Scotland Before 1700 from Contemporary Documents*, edited by P. Hume Brown (Edinburgh, 1893), pp. 11, 45-7, 65, 141. *Early Travellers in Scotland*, edited by P. Hume Brown (Edinburgh, 1973), p. 44. L.A. Barbe, *Sidelights on the History, Industries and Social Life of Scotland* (London, 1919), pp. 221-32.

woolfells, and hides were not increased.<sup>2</sup> On James I's return from captivity, salmon duties were introduced and levied for the first time. In 1425 it was decreed that all the salmon exported by strangers (foreigners) was to be customed at 30d. per £'s worth. The following year it was enacted that everyone, whether "indwellers of the realm, freemen in any burgh and strangers and unfreemen" were liable to pay the customs on salmon and fish.<sup>3</sup>

The *ad valorem* duty of 30d. per £ may initially have been applied, but by the early 1430s each Hamburg barrel of salmon was customed at 5s. and each small barrel of grilse paid 2s. 6d.<sup>4</sup> A more significant deviance from the legislation was that salmon customs appear to have been levied only on foreign merchants. The salmon duties in Elgin's 1429 account were only from *Anglicis et extraneis*. Apparently the Earl of Moray had not allowed customs on salmon to be collected from his men of Moray.<sup>5</sup> Even under more normal circumstances the accounts for Ayr in 1428, Perth 1426, and Montrose in 1435 explicitly state the customed salmon belonged to Englishmen.<sup>6</sup> The exporters are not mentioned in any of Aberdeen's enrolled custom accounts or in those for Ayr 1430, Banff 1428-29, Montrose 1426, 1429-31, or Stirling 1435. In the case of Aberdeen, however, foreigners, and in particular Englishmen, can be seen to have made up an unusually large proportion of the customs. Roughly a third of the salmon customed at Aberdeen was excused payment, foreign merchants accounting for virtually all of these allowances (Table 8-1). This obviously represents the minimum of their customed trade. The high proportion and number of references to salmon customs for Englishmen presumably represents their level of involvement compared with that of other foreign merchants, rather than customs being confined to them alone. Certainly acts of Parliament tend to emphasise the importance of the English in Scottish salmon exports.<sup>7</sup>

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<sup>2</sup> *A.P.S.*, I, pp. 571, 574. Salmon exports are recorded before the act. In November 1274, the cargo of a ship travelling from Aberdeen to St Omer contained 150 salmon as well as wool, lambskins (this should read woolfells), hides, deer skins, and timber. In 1390 Richard Sewale of London brought salmon from Scotland valued at £41 5s. into England by the East March, and in 1399-1402 English merchants' salmon and other goods bought in Scotland were seized on account of the war. *C.D.S.*, II, no. 9; IV, no. 864; V, no. 913.

<sup>3</sup> *A.P.S.*, II, c. 19, p. 8; c. 1, p. 13.

<sup>4</sup> See pp. 190-1 below.

<sup>5</sup> *E.R.*, IV, p. 481.

<sup>6</sup> In 1426 all Perth's customed salmon were bought by Englishmen, and two years later Ayr's "piscium", probably, but not necessarily, salmon, were bought by Englishmen. Montrose's salmon customs in 1435 amounted to £15 17s. 6d. (old money). They were described as being exported to England, and virtually all of this salmon was exported by Thomas Muktoun, Englishman. His salmon custom remissions amounted to the equivalent of £15 4s. in old money.

<sup>7</sup> *A.P.S.*, II, c. 2, p. 20; c. 10, p. 24.

There were only two instances of natives receiving salmon custom remissions at Aberdeen, or indeed any burgh, and on both occasions there is a definite link with England. In 1428 Andrew Gray was freed from £20 in salmon customs. It cannot be certain if it is the same person, but a Scotsman by the same name was held hostage in England at this time. The second example shows that in 1438 Lord Gordon's outstanding customs on salmon sent from Aberdeen to England "several years previously" were suspended. Judging by the entry and the custumar's arrears, these must have been customed sometime between June 1434 and July 1437. Lord Gordon may also have been in England when the salmon were customed. He had also been a hostage in England, and in the late 1430s was in England for diplomatic reasons.<sup>8</sup>

**Table 8-1: Remissions on Aberdeen's Salmon Customs, 1426-35**

<i>Year</i>	<i>Total Salmon Customs</i>	<i>Remissions of salmon customs</i>
1426	£36 1s.	Jenkin Lemman, Englishman, £15 15s.
1428	£134 14s. 5d. custom salmon & English imports.	Pelygrino Grellus, merchant Genoa, £45 7s. 6d. Andrew Gray, £20.
1429	£140 17s. 6d.	Jenkin Lemman, of London, £27 10s. (10 lasts) and a further £8 1s. 10d.
1430	£63 15s.	-
1431	£113 7s. 6d.	Richard Lemman of London, £32. Thomas Mutton, servant of Thomas Bernwale, Englishman, £78 13s. 4d.
1434	724 big barrels salmon & 97 small barrels	Thomas Camera, servant of Thomas Bernwale, Englishman of London- 65 big barrels (of which 18 barrels to Lady Dutchess of Clarensie, and 2 barrels to Marjorie of Nortoun).
1435	637 big barrels & 222 small barrels	Thomas Westoun, citizen of London, 132 big barrels.

*Source: E.R., IV, pp. 408-9, 444-5, 482-3, 511, 538, 568-9, 628-9.*

James I, moreover, appears to have granted the burgesses of Aberdeen, at least, the freedom from salmon customs. In 1438, a year after the monarch's death, the custumar of Aberdeen accounted for 394 big or Hamburg barrels and 104 small barrels of salmon. The account also mentioned 218 Hamburg barrels and 71 small barrels exported by several "Scottish merchants" from Aberdeen. The custumar was not charged with the customs on them because the burgesses had refused to pay customs since they held a charter of exemption. The Exchequer retorted that these rights expired on the James I's death.<sup>9</sup> This

<sup>8</sup> *E.R.*, IV, p. 445; V, pp. 17-8; *C.D.S.*, IV, nos. 1013, 1103, 1113.

<sup>9</sup> The custumar also presented a list of all the Aberdeen burgesses and the quantities they exported. The list totals 228 Hamburg barrels and 79 small barrels, a slightly larger amount than the total figure given in the account.



dispute quickly ended, as all salmon custom duties lapsed around this time in the same way as the other new custom duties.

The burgesses of Aberdeen appear to have been exempt from salmon customs during James I's reign. It is not certain when Aberdeen received this right, but judging by custom levels and the virtual absence of remissions on native exporters it must have been exercised from an early date. Nor is it certain who qualified for the exemptions. Was it simply the burgesses or inhabitants of Aberdeen, or all Scottish burgesses, or all natives? Aberdeen's 1438 account states customs were not levied on several Scottish merchants, but later adds it was the burgesses of Aberdeen who claimed the exemption. Perhaps even if every native was exempt, only the burgh's burgesses would in practice take advantage of it. It is conceivable that similar exemptions were held in the other burghs at this time, which would help explain the virtual absence of salmon customs that can be definitely attributed to native merchants.

#### (b) 1439-ca.1464

During James I's reign customs appear to have been levied only on salmon exported by foreigners. Following the monarch's death, attempts were made to custom Aberdeen's burgesses. These efforts failed and the salmon customs, like the other duties introduced in James I's reign, lapsed. In the first half of the 1440s salmon was customed at the West coast, and thereafter disappeared from the accounts.<sup>10</sup> The Exchequer did not make any concerted effort to re-introduce salmon customs in the Northern and East coast burghs until the second half of the 1440s. Aberdeen's 1445 account included 372 barrels of salmon exported by Englishmen, customed at 2s. per barrel. A memorandum also stated that the Scottish merchants, who were later described as burgesses of Aberdeen, refused to pay customs on the 778½ barrels of salmon they exported. The following year, Perth and the burghs north of it obtained a charter exempting them from the salmon custom, although it was added that Englishmen still had to pay their customs of 2s. per barrel.<sup>11</sup> Similar charters or rights presumably were given to the burghs south of the Tay. Leith's customar, for instance, between November 1445 and 1448, was described as the customar of goods from England and salted salmon shipped to England. For the following two decades, virtually all the salmon customed throughout Scotland was specifically described as being exported by

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<sup>10</sup> Ayr 1440, 1443, 1446; Dumbarton 1445; see below for the rather unusual custom duties and measures in these entries, p. 191 below.

<sup>11</sup> *Charters and Other Writs Illustrating the History of the Royal Burgh of Aberdeen*, edited by P.J. Anderson (Aberdeen, 1890), pp. 24-5.

Englishmen.<sup>12</sup> The sporadic entries for salmon in the custom accounts and the small quantities they contain is a reflection on the limited involvement of Englishmen, and perhaps all foreigners, in the trade. The possibility also exists that on occasion duties were not collected or rendered at all. In 1454 and 1455 the customars of Perth claimed they had not charged salmon exports and English malt imports because they were the responsibility of a separate customar. The Exchequer responded that this customar should appear and present his accounts.<sup>13</sup>

### (c) 1465-1472/3

For nearly three decades following James I's death in 1437, salmon customs were levied only on foreign, or possibly simply English, merchants. The Exchequer did make efforts to impose duties on all salmon exports between 1465 and 1472/3, but with little or no success. In 1465 the customars of Perth and Dundee were ordered to impose levies on salmon, and similar orders were given to Elgin and Forres two years later. As a consequence, the total salmon exports were given for Perth in 1466-68, Dundee 1467-68, and Edinburgh 1467. The customars, however, did not actually collect the duties and so were in no fit state to pay the sums to the Exchequer. Indeed Perth's customars stated that the customs remained in the hands of those who exported the salmon, while the debts of Montrose's customar in 1468 excluded the salmon customs with which he had initially been charged. The reason the customars had failed to collect the salmon duties is clear from a remission in Dundee's 1469 account, which stated that Dundee's merchants had shown they, and the lieges of the realm, were exonerated from salmon customs as manifest by letters of the King.<sup>14</sup> In 1471 Montrose's salmon customs were said to have been levied only on those not exempt, and

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<sup>12</sup> Aberdeen 1445, 1447-48, 1450-51, 1460, 1465; Banff 1451; Leith 1447. Aberdeen's 1448 entry also states six barrels went to Germany. The accounts at Aberdeen in 1454 and Leith in 1461 (a) are the only ones in the period 1439-65, apart from those on the West coast, which do not state the salmon was exported by Englishmen or taken to England.

<sup>13</sup> The Exchequer in 1452 noted Aberdeen's customars had not charged any customs on salmon exports. The reason for this is not recorded, whether it be their negligence, their lack of mandate, or even no dutiable salmon being exported.

<sup>14</sup> In 1467 Perth's account included 241 barrels of salmon for that and the previous year. The customars failed to pay the Exchequer the customs accruing from the salmon because the duties remained in the hands of the exporters. These sums became the debts of the customars and were carried forward into their 1468 account. In that year, a further 199 barrels were customed. Again the duties were not collected, and they were added to the customars' debts. There was no additional salmon in the 1469 account, but the debts remained. The 1470 custom roll has not survived. In 1471 the debts are no longer listed; either the customars paid the Exchequer the sums, or, more likely, the debts were written off. Edinburgh's 1467 account contained 216 barrels of salmon, and, as with Perth, the customs on them were not paid to the Exchequer. These debts were carried into the burgh's next two accounts. By 1471 the debt had been cleared. Dundee's 1468 account includes 358½ barrels of salmon. The customars paid the Exchequer the due sums, but in the following year they were remitted the full amount since they had not collected the duties.

Aberdeen's were on salmon exported by strangers into England. Certainly the small quantities of salmon actually customed, especially compared with later receipts, implies duties continued to be only on foreigners up to 1472, at least.<sup>15</sup>

The only exception to this appears to have been Berwick-upon-Tweed. The burgh customed salmon in their 1465 account, their first to the Scottish Exchequer for well over a century. The quantities were relatively large; between January 1465 and July 1471 the burgh customed on average over 200 barrels per year. Either everyone at Berwick was customed, or Englishmen only were customed but they exported an extremely large proportion of the salmon exports. The latter is plausible, since the same merchants are likely to have been exporting from Berwick under both Scottish and English rule. Either way, however, it is impossible to prove.

#### (d) 1472-1600

In 1471 the auditors of Exchequer renewed their attempts to introduce customs on all salmon exports. They ordered the customars of Inverness to levy and render customs on salmon, cloth, and miscellaneous fells. The custom roll for 1472 has not survived, but in the following two years salmon customs appeared at Stirling, Leith, Montrose, Dundee, Perth, and Aberdeen, either for the first time or at vastly increased levels, suggesting all salmon exports were customed. Certainly the salmon customs at Aberdeen in 1475 were for both foreigners and natives. This practice may have begun in the burgh in the previous year;<sup>16</sup> native merchants received remissions on their salmon exports at Perth in 1473 and 1474. This development may even explain why Elgin and Forres saw the need to lease their salmon customs for £10 a year from 1473-76. While different burghs introduced customs across the board at slightly different times, it can safely be assumed that between 1473-75 all

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<sup>15</sup> Salmon exports, which were actually customed prior to 1472, were confined to Aberdeen 1465-66, 1469, 1471; Inverkeithing 1468; Inverness 1467; Montrose 1471; Perth 1471; and Stirling 1468-69.

<sup>16</sup> Aberdeen's 1474 account is somewhat unusual. Between July 1473 and the 24<sup>th</sup> of March 1474 414½ barrels of salmon were customed. After the 24<sup>th</sup> of March the salmon was to be charged in the next Parliament (on the 6<sup>th</sup> of August) and the clerk of cocket's book was to be examined. Later 178 barrels were charged for this period. A further 40 barrels were exported by Englishmen, described as "for the period above", meaning either the entire account or after 24<sup>th</sup> of March. It could perhaps be speculated that the inspection was made to ensure the burgesses had been customed after March, and judging from the burgh's arrears, the customs were not paid to the Exchequer until the 1476 audit. Up to March, therefore, only foreigners, or those not exempt, were customed; thereafter everyone was. While this is speculative it should be noted that the 30% of the receipts between March and July (excluding those customed by the English) seems a large proportion in a traditionally slack period for salmon shipments. Perhaps it was genuinely the share of the year's customs though not of the actual exports. Certainly in the following year, which explicitly states foreigners and natives were customed, the quantities of salmon doubled.

jurisdictions complied. Thereafter salmon exports were customed continuously until the close of the sixteenth century. There was, however, one exception- the most important salmon exporting location in Scotland- Aberdeen.

ABERDEEN'S SALMON CUSTOMS, 1472-1600. In 1471 Aberdeen's customars customed only the Englishmen exporting salmon. By 1475, in common with other burghs, customs were levied on all salmon exports, whether by foreigners or natives, a change which may have begun in the previous year's account.<sup>17</sup> Aberdeen's burgesses resented these new charges, and in 1476 a number even refused to pay, though with little effect. In December 1482 and the following September the burgesses secured an exemption from export customs on the salmon caught in the Don and the Dee. Foreigners (*extranios*) and those outwith the burgh (*ligeos libertatem ejusdem burgi non habentibus*) received no such privilege.<sup>18</sup> Unsurprisingly, the burgh's salmon customs declined sharply. The King, no doubt concerned about the impact it had had on his revenues, evidently came to regret his generosity. In 1486 the Exchequer stated the King had revoked the grant, and an enquiry was to be made into the value of salmon exported by virtue of the privilege; this was to be paid in the next account. Aberdeen's burgesses, however, continued to enjoy their freedom from salmon customs. The accounts between 1487-90 included only salmon exported by those not exempt from the customs, and annually the Exchequer repeated its demands that all salmon should be customed.<sup>19</sup> In 1493, after the dispute went before the King,<sup>20</sup> the matter was resolved in the burgesses' favour. The auditors of the Exchequer made no further effort to extract customs from the burgesses, and there is nothing to suggest the burgesses were customed. Aberdeen's particular account in 1500, for instance, includes salmon customs for ecclesiastics, and foreign merchants and skippers, but not for one single burgh of the burgh.<sup>21</sup> Aberdeen burgesses, like Robert Blindseil or Thomas Pratt, received freedom from all customs. The custom accounts do not list them as being remitted from salmon duties, simply because, as burgesses, they were not liable for salmon customs in the first place. The negative evidence is fairly conclusive that the burgesses were not being customed.

Aberdeen's burgesses in all probability continued to enjoy freedom from salmon customs until 1537. The burgh's salmon customs, however, were almost continually leased

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<sup>17</sup> See note 16 on p. 187.

<sup>18</sup> *R.M.S.*, II, nos. 1529, 1566.

<sup>19</sup> Aberdeen 1487-90.

<sup>20</sup> The Exchequer in 1493 stated salmon had not been charged in the previous three years, for which they were to consult with the King.

<sup>21</sup> *NAS*, E.71/1/1, ff. 11-11v.



from January 1507 to 1537, except for a three-year period between 1513-16. The rent was set at £100 per year, a large amount compared with the receipts for foreigners and non-burgesses before, during, and after the lease.<sup>22</sup> The salmon customs could have been leased by the burgesses, to ensure they maintained their freedom, for James IV was flexing his muscles on salmon customs about the time the lease was established. It had been stated that all the customs of salmon pertained to the King, and so, like the rest of the customs, they were annexed to the Crown and might not be “annalzeit, without avise, decreit and deliverance of the haill parliament”.<sup>23</sup>

In 1537 the salmon custom lease ended. A memorandum in the account stated the custumar did not custom any salmon from the Don and Dee exported by the burgesses and inhabitants of Aberdeen because they claimed they were exempt by reason of their charter from James III. The auditors of the Exchequer retorted that the burgesses lacked these privileges, and ordered that salmon customs be charged in future, while the burgh’s charter was to be presented so that it could be formally cancelled and annulled. The following year the salmon customs in the account were specifically described as being levied on the burgesses of the town, and in 1539 the custumar even paid £40 as an estimate for the customs on salmon exported by the burgesses in 1537. The burgesses were understandably not enamoured of these new impositions, but they lost their case with the King re the salmon customs in 1540.<sup>24</sup> They did, however, manage to secure a charter from Queen Mary, three years later, in which they were to be customed at only 2s. per barrel, half the normal rate.<sup>25</sup> The Exchequer, on the other hand, was less than happy about this arrangement, and the burgesses were not able to take advantage of it. Aberdeen’s salmon exports continued to be levied on everyone at the rate of 4s. per barrel right up to the close of the century, when the duty increased. Those liable for the customs remained unaltered.<sup>26</sup>

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<sup>22</sup> In the decade before the lease started, the custom receipts for foreigners and those outwith the burgh were around £75 per year. The customs rendered in 1513-16 were only £44 per year, and were £78 per year in 1522-24 (NAS, E.71/1/2, ff. 1, 4.) although in both cases receipts were probably lower than normal, due to political turmoil. In 1538 the salmon customed were said to belong in entirety to burgesses inhabiting the burgh. This may simply be a stock phrase, but if taken at face value it suggests the activity of foreigners or non-inhabitants was minuscule.

<sup>23</sup> *The Practicks of Sir James Balfour of Pittendreich*, vol. I, edited by P.G.B. McNeil (Edinburgh: Stair Society, vol. 22. 1962), p. 83.

<sup>24</sup> *Ibidem*, p. 83. In the same year there was evidently a similar case by the King against Linlithgow.

<sup>25</sup> *Charters of Aberdeen*, pp. 46-8. The charter mentioned the exemption from salmon customs granted by James III. The burgh claimed to have enjoyed the privileges for the 44 years previous to the time David Wod the Comptroller compelled the burgesses to pay customs. This suggests the privilege stretched back to 1493, the year the dispute went before James IV.

<sup>26</sup> Aberdeen’s surviving particular accounts in the 1570s and 1580s include numerous entries for the burgesses paying salmon customs. NAS, E.71/1/6-10.



## II. CUSTOM DUTIES AND MEASURES

The 1398 custom duties of 1d. for each salmon, or two grilse, exported, were in fact never collected. Salmon remained duty free until 1425-26, when customs of 30d. per £'s worth of salmon exported were introduced.<sup>27</sup> In 1430 Ayr's account includes 420 salmon sold for £10 10s. which were customed at 26s. 3d., hence a duty of 30d. per £. Elsewhere the early entries do not record the quantities customed and only list the monetary customs.<sup>28</sup> This makes it difficult to establish if they were *ad valorem* rates, but it should be remembered that woollen cloth paid similar duties and was listed in the same way in the accounts. Moreover, the custom remissions in Aberdeen's 1429 account does not rule out the possibility of *ad valorem* duties at this rate being applied. Jenkin Lemman purchased 120 barrels of salmon in Aberdeen for £220, and was remitted the customs of £27 10s. on them. In this instance, therefore, the salmon was customed at 30d. per £. In the following year, however, the salmon belonging to Pelygrino Grellus, a merchant of Genoa, was customed at either 20d. per £, or 47d. per Hamburg barrel.<sup>29</sup>

*Ad valorem* duties were presumably initially applied, but by the first half of the 1430s the infinitely more convenient duties per barrel were used. Each "big" or "Hamburg" barrel of salmon paid 5s. while a "small" or "herring" barrel of grilse was customed at 2s. 6d.<sup>30</sup> These *pro rata* rates were no doubt acceptable to the Crown since they were very close to the *ad valorem* duty of 30d. per £. In 1434 65 Hamburg barrels were purchased for Thomas Muktoun, costing in total £153 4s. (new money), possibly including expenses. Each

<sup>27</sup> *A.P.S.*, I, pp. 571, 574; II, c. 19, p. 8, c. 1, p. 13.

<sup>28</sup> Aberdeen 1426, 1428-31; Ayr 128; Banff 1428; Montrose 1426; 1434, Perth 1426. Sir John Skene, at the end of the sixteenth century, was mistaken when he stated the salmon in Montrose's 1430 account were customed at *ad valorem* rates. He wrote that the 29 Hamburg barrels and 5 small barrels were customed at £20 7s. 6d. In fact there were 31 Hamburg and 5 small barrels, customed at £8 7s. 6d., hence *pro rata* duties of 60d. and 30d. for the Hamburg and small barrels respectively. What confused Skene was that the customar was also charged with £12 for eight barrels of salmon. The entry simply relates to the customar's debt to the royal household and had nothing to do with exports or salmon customs. A.L. Murray, "Memorandum on the customs 1597" (forthcoming).

<sup>29</sup> *E.R.*, IV, pp. 478, 483. Pelygrino Grellus purchased 158 barrels Hamburg (46s. 8d. each) and 143 barrels small (23s. 4d. each) for £535 10s. His custom remission on this salmon was £45 7s. 6d. There is also a very dubious example for Jenkin Lemman in 1426. He purchased salmon worth £252 and received a remission for one ship of £15 15s. It is not known if the remissions were for all the salmon or if he purchased other consignments. *E.R.*, IV, pp. 408-9, 443-5.

<sup>30</sup> See Montrose 1430, 1431, 1435; Banff 1429; Inverness 1429; Elgin 1429; Aberdeen 1434, 1435, 1438. Montrose's 1429 account included 40 Hamburg barrels and 40 small barrels for £16. This could be a flat rate of 64d. and 32d. respectively, or a slight clerical mistake may have been made. The salmon in the discharges of Aberdeen's 1434-35 accounts were customed at 6s. (i.e. 72d.) per Hamburg barrel. This was simply because the discharges in these years were given in new (devalued) money, which was 20% more than old money.

of these barrels was subsequently customed at 5s. old money or 6s. new money, hence the duty would have been equivalent to 30½d in the £. In the following year, Thomas Weston's salmon customs were equivalent to 34d. per £.<sup>31</sup> There are further examples in the accounts, although not for the same transactions, which show that these *pro rata* custom rates were roughly an eighth of the price of salmon.<sup>32</sup> This should not be a great surprise. It would be natural for *pro rata* rates to be comparable with duties per value when they were first implemented.

Following James I's death, the salmon customs lapsed. Soon afterwards they briefly and quickly re-appeared at the West coast. In 1440 Ayr customed 72 salmon for 12s.; if there were 20 salmon per barrel<sup>33</sup> each barrel would have been customed at 40d. In the burgh's 1443 account each barrel of salmon was customed at 40d. Three years later, pipes of salmon, which were equivalent to three barrels,<sup>34</sup> were customed at 120d. Finally a tun or *dolio* of salmon was customed at Dumbarton in 1445. It paid the same rate as a pipe, despite being twice the size of a pipe. There could have been a clerical or editorial mistake for this entry; in the printed editions of *The Exchequer Rolls of Scotland* pipes and *dolios* seem to have been used interchangeably when dealing, for example, with wine.

Salmon re-appeared in the accounts for the East and North coasts in the mid-1440s. Customs were levied only on foreigners or Englishmen and at a rate of 2s. per barrel. This duty was explicitly stated in a charter to Perth and the burghs northward, and remained in force for a further two decades.<sup>35</sup>

In Berwick-upon-Tweed's 1465 account, their first to the Scottish Exchequer in over a hundred years, salmon was charged at 5s. per barrel, the old *pro rata* duty of James I's

<sup>31</sup> *E.R.*, IV, pp. 567-8, 616, 629.

<sup>32</sup> Banff's custom account in 1429 listed salmon purchased for the King at 40s. per barrel, and the following year the King received salmon from Montrose's customer at 55s. per barrel. These accounts also record salmon customed at 5s. per barrel. Customs, therefore, were 12.5% and 9% of these prices. Aberdeen's account in 1434 recorded salmon purchased for the King at 40s. new money per barrel, and, the following year, salmon for the Comptroller at 47s. 6d. per barrel. The customs were between 12.5-15% of these prices. *E.R.*, IV, pp. 480, 505, 569, 616.

<sup>33</sup> For example see NAS, E.71/1/10, f. 29.

<sup>34</sup> In 1597 Sir John Skene stated that three barrels of salmon were equivalent to a pipe. A similar conclusion can be drawn from Alexander Hunter's estimates in the early seventeenth century, namely there were six salmon barrels per tun, and in each tun two pipes. A.L. Murray, "Memorandum on the customs 1597"; A. Hunter, *A Treatise of Weights, Mets and Measures of Scotland* (Edinburgh, 1624; reprinted Amsterdam, 1974), p. 4.

<sup>35</sup> *Charters of Aberdeen*, pp. 24-5. Aberdeen 1445, 1447-48, 1450-51, 1454, 1460, 1465; Banff 1451; Leith 1447.

reign. The customar was charged the same amount the following year, but was given an allowance of 2s. per barrel since he had been overcharged. He had collected, as per the King's Council decree, only 3s. per Hamburg barrel. In the custom roll it was also noted the council ordered that each barrel of grilse was to pay 18d. per barrel.<sup>36</sup> Virtually every burgh, after the 1466 audit customed salmon at 3s. per barrel. The exception was Aberdeen where, despite numerous orders to collect the higher rate, 2s. per barrel continued to be levied.<sup>37</sup> They finally complied in 1474 at the same time as their burgesses became customable. In February 1481 the universal rate was raised to 4s. per Hamburg barrel, and there seems to have been no trouble with the introduction of it. This duty remained unaltered in all burghs until the close of the sixteenth century.

In his review of Crown revenue, at the close of the sixteenth century, Sir John Skene, Clerk Register, reasoned that the salmon customs were insufficiently exploited. He noted that in James I's reign a duty of 2s. [sic.] in the £ was levied, although only one of the examples he cited actually proves this.<sup>38</sup> Consequently, in 1597 a new duty of £1 17s. 6d. per barrel was introduced. This was calculated on the basis that each barrel of salmon exported was worth £15. Thus James I's duty of 30d. per £, which was in practice levied only very briefly, was used to legitimise a hugely increased *pro rata* duty.<sup>39</sup>

### III. SALMON CUSTOM MEASURES

During the late 1420s and 1430s "big" or "Hamburg" barrels of salmon were customed at 5s. while "small" or "herring" barrels of grilse paid half this rate. The disparity was on account of the smaller size of the barrels and the lesser value of the young salmon.<sup>40</sup> In 1466 a barrel

<sup>36</sup> *E.R.*, VII, pp. 421, 430.

<sup>37</sup> Normally Aberdeen's customars were charged 3s., and they would receive a remittance, since they only collected 2s.

<sup>38</sup> Skene does cite the legitimate *ad valorem* duty at Ayr in 1430. In Montrose's 1430 entry the eight barrels valued at £12 were included in his reckoning, but these were in fact barrels which the customar owed to the Crown and had nothing to do with the customs or exports. The supposed *ad valorem* duty at Aberdeen in 1435 was in fact a *pro rata* duty. Finally, a detailed example for Ayr in 1446 merely indicates that the customs duty must have been somewhere in the region of 30d. per £. A.L. Murray, "Memorandum on the customs 1597".

<sup>39</sup> A.L. Murray, "Sir John Skene and the Exchequer, 1594-1612", *Miscellany One* (Edinburgh: Stair Society, vol. 26. 1971), p. 145; *Halyburton's Ledger*, p. cxiv.

<sup>40</sup> In the final decades of the sixteenth century a herring barrel, containing herring or white fish, was considered to be three-quarters of the size of a salmon barrel. In 1573 a salmon barrel was ordered to contain 12 gallons and every barrel of herring or white fish 9 gallons. In 1624 Alexander Hunter estimated there were 6 salmon or 8 herring barrels to the tun. He also stated, however, that the former

of grilse was again stated as being customed at half the rate of the Hamburg salmon barrel.<sup>41</sup> Grilse, however, did not appear anywhere in the custom accounts after 1438. Given the size of the trade in grilse the 1430s, their export is unlikely to have vanished, and certainly occasionally traces of grilse export are recorded.<sup>42</sup> It appears grilse and salmon continued to be barrelled separately. The Convention of Royal Burghs stated that six grilse per barrel of salmon was the maximum acceptable number.<sup>43</sup> For customing purposes grilse exports, in whatever size container, were likely to have been simply converted into their salmon equivalent in Hamburg barrels in the custom accounts. In 1517, for instance, it was noted that salmon and grilse were customed at Dundee, but only salmon appeared in the burgh's accounts.<sup>44</sup> In a similar manner trout exports do not appear anywhere in the custom accounts; they have been simply classed with salmon.<sup>45</sup>

In 1478 foreign merchants complained about a reduction in size of Scottish salmon vessels and barrels. It was ordained, therefore, that salmon was to be packed only into barrels of the measure of Hamburg and nothing smaller. This measure was similar to, or even based on, the old assize of Aberdeen. Coopers were forbidden to make smaller barrels, and customars were to check the size of the barrels exported. Similar decrees were issued in 1487, 1489, 1493, and 1504. It was added that the Hamburg measure was to contain 14 gallons, and customars were to act as searchers to check on the size of barrels exported. In 1573 and 1584 similar acts were passed, although by this time the salmon barrel was said to contain 12 gallons (of the Stirling pint measure) and by 1624 a barrel was 10 gallons.<sup>46</sup> Despite the decline in the number of gallons it cannot be certain that the actual size of the assize measure changed. The reduction could have been the result of different and larger pints or gallons being used in the calculation.

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contained 10 gallons and the latter 8½ gallons. *A.P.S.*, III, c. 4, p. 82. A. Hunter, *A Treatise of Weights, Mets and Measures*, p. 4.

<sup>41</sup> *E.R.*, VII, p. 430.

<sup>42</sup> Aberdeen in May 1433-June 1435 and July 1437-July 1438 customed 1,755 Hamburg barrels of salmon and 423 small barrels of grilse. Montrose in May 1428-April 1431 and May 1434-July 1435, customed 135 Hamburg barrels and 116 small barrels. In 1595 an Edinburgh merchant purchased 15 barrels of salmon and 13 barrels of grilse from George Ross in Balnagown; these were presumably, but not definitely, for export. *Old Ross-shire and Scotland: as seen in the Tain and Balnagown Documents*, edited by W. Macgill (Inverness, 1909), p. 179.

<sup>43</sup> *R.C.R.B.*, I, p. 100.

<sup>44</sup> *A.D.C.P.*, pp. 73-5.

<sup>45</sup> For Scottish trout exports see *Halyburton's Ledger*, pp. 46, 159, 182, 186, 188, 234, 248.

<sup>46</sup> *A.P.S.*, II, c. 9, p. 119; c. 16, p. 178; c. 3, p. 213; c. 23, p. 237; III, c. 4, p. 82; c. 19, p. 302. *A.D.C.P.*, p. lxi; A. Hunter, *A Treatise of Weights, Mets and Measures*, p. 4.

If, as the legislation suggests, coopers and merchants made and used barrels smaller than the legal assize measure, the custom accounts could slightly exaggerate the quantities exported, although the impact would be minimal. While there may have been occasions when the barrels purporting to be Hamburg barrels were slightly smaller than they should have been, it seems that it was in actual fact quite legitimate for salmon to be carried in other containers, so long as they were not counterfeit Hamburg barrels. These containers would simply have been converted into Hamburg barrel equivalents in the custom accounts. In 1584 Aberdeen's customar converted the seven score salmon exported into its equivalent of seven barrels.<sup>47</sup> Ayr's 1512 account recorded that four puncheons and one little barrel of salmon were customed at 324d.<sup>48</sup> In the particular accounts there are entries of salmon being exported in barrels of the major and minor bind, and in puncheons,<sup>49</sup> and Sir John Skene mentions pipes of salmon. It is, moreover, likely that grilse continued to be exported in slightly smaller barrels. Presumably the vast majority of salmon were exported in Hamburg barrels, or barrels purporting to be such. When other vessels were used they would be converted into Hamburg barrel equivalents in the custom accounts. The accounts, after all, frequently record half barrels. These are unlikely to have been half full, but were rather the product of the customars' calculation.

#### IV. CONCLUSION

The salmon customs must be treated with a great deal of care if they are to be used to determine Scottish exports. Until the early 1470s, they record only the salmon exported by foreign merchants. In the 1430s these exports by foreigners were fairly impressive. Aberdeen, by far the most important export point, customed on average over 465 Hamburg barrels per year between April 1429 and July 1438. The duties on foreigners lapsed after 1438 and when they returned in the second half of the 1440s they were two-thirds lower. From 1450 foreign exports of salmon were of no importance; Aberdeen customed only 125 barrels in the two decades after 1450. Little is known about native salmon exports, except in 1438 and 1445 when they were recorded at Aberdeen. In 1438 the natives exported just over

<sup>47</sup> NAS, E.71/1/10, f. 29. For the suggestion that each barrel contained 12 salmon see P.G.B. McNeill and H.L. MacQueen (eds.), *Atlas of Scottish History to 1707* (Edinburgh, 1996), p. 256.

<sup>48</sup> This custom duty was equivalent to 6¼ Hamburg barrels. Certainly late sixteenth and early seventeenth century references do suggest a puncheon of salmon was 1½ times larger than a Hamburg barrel, and a small or herring barrel was ¾s of the size of a Hamburg barrel. See *A.P.S.*, III, c. 4, p. 82; A. Hunter, *A Treatise of Weights, Mets and Measures*, p. 4.

<sup>49</sup> NAS, E.71/28/4, f. 20.; 32/4, f. 4v.; 32/7, ff. 9v., 10v.



250 Hamburg barrels of salmon, a mere third of the burgh's total. By 1445, their exports had increased nearly three-fold, to 780 barrels, and accounted for two-thirds of the burgh's salmon exports.

From 1473/5-82 all salmon exports were customed, and on average 2,100 barrels per year were exported from Scotland (excluding Berwick-upon-Tweed). Thereafter, the custom accounts seriously under-record the level of salmon exports.

In 1482-1537 the burgesses at Aberdeen, the most important single salmon exporting location, secured exemptions from the customs. The burgh's accounts consequently only record salmon exported by foreigners and those outwith the burgh. Moreover, between 1507-37, the burgh's salmon customs were virtually always leased, making it impossible to know the exports of even the restricted group who were liable for customs. After 1537 all Aberdeen's salmon exports were customed. Unfortunately, the burgh's custom figures are not available, through leasing, or accounts not being rendered, for half the years in the second half of the sixteenth century.<sup>50</sup> It is, however, still possible to establish that the burgh's salmon exports increased from 1,200 barrels in 1475-82 per year to over 2,000 barrels per year in 1538-42. They then went into a slow decline, so that in the final decade of the century Aberdeen was exporting only 630 barrels per year. This is a similar pattern to the total salmon exported by all the burghs south of Aberdeen. 630 barrels per year were exported in ca. 1475-82. Following a collapse in the 1480s, this increased to 1,700 barrels per year in 1537-42, before declining to around 600 barrels per year in the 1590s. Though the trends are the same it is clear Aberdeen's pre-eminence was reduced.

A second serious omission in the custom accounts in the sixteenth century is the sparse number of entries for the burghs north of Aberdeen. In 1475-82 they exported just under 300 barrels per year. For the remainder of the century and thereafter the various jurisdictions were virtually always leased, and when usable accounts do appear, they are rarely in accord. This is a hindrance, since the area appears to have been exporting substantial quantities in the sixteenth century, perhaps more than Aberdeen. Moray and Banff, for instance, in the second half of the 1550s, exported over 1,800 barrels per year. At the same time the jurisdiction at Inverness, Ross, Sutherland, and Caithness was leased. Our knowledge of this important salmon export trade, therefore, is almost entirely wanting. Some

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<sup>50</sup> There are no custom figures for Aberdeen between September 1551 and October 1554; July 1558 and January 1574; October 1584 and October 1589; and from March 1598.

of the trends and the minimum scale of the trade can be established from the records of the goods sent to Edinburgh and Dundee to be exported. Edinburgh received over 1,800 barrels of salmon a year from the burghs north of Aberdeen in the late 1530s, which was more than it had in the earlier decades of the century, and the level dropped very slightly in the 1560s. Thereafter receipts fell heavily. In 1581 Edinburgh's entry book of cockets lists only 260 barrels, although the fall was, to a limited extent, compensated by a rise in the quantity of salmon sent to Dundee to be exported. In the 1590s Edinburgh received on average 675 barrels a year from the burghs north of Aberdeen.<sup>51</sup> The figures highlight the importance of the area's salmon exports, and hence the significance of the gaps in the more reliable custom accounts. If the records of salmon sent to Edinburgh and Dundee are anything to go by, however, they show the pattern of salmon exports was very similar to that of Aberdeen and the southern burghs.

Certain problems are associated with using the salmon customs to determine exports. The custom measures were to some extent assize measurers, and there is a slight possibility that the size of the custom measure declined. More importantly, there is an absence of total salmon export figures up to 1473/5 and a lack of figures for Aberdeen 1482-1537, and for the burghs north of Aberdeen in the sixteenth century. Though these limitations hinder analysis of the salmon trade, they are not insurmountable.

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<sup>51</sup> NAS, E.71/12/5, 7-8; 29/3-4; 32/1-13.

## CHAPTER 9

### SEA FISH

#### I. INTRODUCTION OF SEA FISH CUSTOMS

In 1424 Parliament passed an act giving the King 1d. from every thousand fresh herring sold in the realm, and a further 4d. for each thousand herring “made”. More importantly, the act also introduced custom duties on herring exports for the first time. Scots were to pay 4d., and foreigners 6d., for each barrel of herring exported. Two years later a further act stated customs were to be paid on salmon and fish exported by indwellers and freemen of all burghs and by strangers and unfreemen.<sup>1</sup> Several custom rolls during James I’s reign are missing, but in those surviving, sea fish are barely mentioned. Indeed they appear in only two enrolled custom accounts, both for Ayr. In 1428, Ayr’s account included 5s. for the custom of fish exported to England. Two years later the burgh customed 24 barrels of herring. They were described as being sold in the burgh, and were presumably exported by foreigners, since each barrel was customed at 6d. per barrel. The same account also includes 300 cod, which likewise were described as being sold in the burgh and so may also have been exported by foreigners. The cod were sold for 55s., and paid customs of 5s., suggesting it was an *ad valorem* duty. Alternatively, it could have been a *pro rata* duty of 2s. per 120, the rate which was used for most of the fifteenth century.

Scotland may have been exporting only minuscule quantities of herring and cod,

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<sup>1</sup> *A.P.S.*, II, c. 22, p. 6; c. 1, p. 13. The preamble and wording of the 1424 act have led some to believe that the duties on fresh herring were export duties. This is unlikely, since the herring would deteriorate rapidly without being barrelled. Furthermore, the duty was tiny and was paid by the seller, suggesting it was in fact a small or petty custom duty, and the rate was certainly broadly comparable to early small custom duties. Likewise, the duty on red herring has been assumed to be export customs despite the act specifying it was for “red herring made in the realm” with no mention of export. The act should be viewed as the king’s securing revenue from all the herring within the kingdom and from any leaving it. For mistaken interpretations see A.M. Samuel, *The Herring: its Effect on the History of Britain* (London, 1918), p. 86; *E.R.*, IX, p. lxxiii. For small customs on herring see *Ancient Laws and Customs of the Burghs of Scotland*. Vol. I, 1124-1424, edited by C. Innes (Edinburgh: Scottish Burgh Records Society, vol. 1. 1868), p. 104.

which would explain their virtual absence from the custom accounts. A more plausible explanation, however, is that the duties were not enforced on all exports. Perhaps, as in the case of salmon, they were levied only on foreigners. After James I's murder the fish customs ceased entirely. In 1450 the 1426 act, which required everyone to pay customs on salmon and fish exports, was repeated, but it had little effect.<sup>2</sup> Finally, in the late 1460s, herring, cod and, additionally, oil appear in the custom accounts. These duties were unquestionably universally applied from the early 1470s, and remained in force thereafter.

## II. CUSTOMS DUTIES AND MEASURES

A vast variety of fish was caught and exported from Scotland.<sup>3</sup> The fish in the custom accounts, however, were mainly restricted to codlings (young or small cod), herring, and cod. Herring and codlings were customed by the barrel and cod individually. Other fish appear only occasionally in the accounts. Skate was customed with cod at Edinburgh in the final two decades of the sixteenth century and there are one or two entries for coalfish, stockfish, hake and skate, oysters, and keling-sounds (the swimming bladder of cod). It can probably be assumed that these fish were normally included in the entries for cod or codlings without being specifically mentioned in the account. There are, for instance, entries for ling in the particular accounts, yet they do not appear anywhere in the enrolled accounts. Furthermore, the cod and codlings, or "keling", were sometimes further described as white fish, a term which applied to all demersal species of fish such as cod, haddock, saithe, ling, sole, plaice, and skate.<sup>4</sup> The 1611-14 Export Survey simply listed the Scottish fish exports as herring, "fish in peale" (i.e. not packed), and "barrellit fish". It can be assumed, therefore,

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<sup>2</sup> *A.P.S.*, II, c. 6, p. 34. Nor did this act have any significant effect on salmon; salmon customs were still restricted to foreign merchants.

<sup>3</sup> In the 1630s William Lithgow included "herring, salmon, keilling, ling, turbot, and seaths" (coalfish) in a list of the main Scottish fish exports, while others mentioned "skait, makrel, turbot, flounder, plaice, haddocks", and, in addition, various shell fish were mentioned as being fished. *Scotland Before 1700 from Contemporary Documents*, edited by P. Hume Brown (Edinburgh, 1893), pp. 140, 270, 299.

<sup>4</sup> J.R. Coull, *The Sea Fisheries of Scotland: A Historical Geography* (Edinburgh, 1996), p. 79. In the *Dictionary of the Older Scottish Tongue, from the Twelfth Century to the end of the Seventeenth Century*, edited by W.A. Craigie and A.J. Aitken *et al.* (London, 1937- ), III, p. 394 keling are described as large cod. The entry adds that the term presumably also included a variety of larger species of white fish. In the 1612 book of rates, however, there were separate entries for codling, keling, ling, and saithe. *Halyburton's Ledger*, pp. 337-9.



that sixteenth century custom entries for herring, codling, and cod do not show the full variety of Scottish fish exports. Others species were presumably exported in such small quantities that they rarely warranted separate custom entries.

Herring and codlings, both small fish, whether gutted or not, were preserved by being barrelled and salted with imported salt soon after being caught.<sup>5</sup> There are references to red herring (i.e. smoked for long periods), but they do not appear in the custom accounts, or even in the fairly complete 1612 book of rates.<sup>6</sup> Prior to 1482, herring was customed at 6d. per barrel; thereafter the rate was doubled to 12d. per barrel, and this rate then remained unaltered. Codlings (also referred to as “barrelit cod”, or “cod called pakit keling”)<sup>7</sup> were customed at the same rate as herring. They first appeared in 1497 at Edinburgh when they were customed with herring. They re-appeared and were frequently recorded from the 1520s. It is likely that codlings were customed with herring before they were listed separately. Even after they appear they are often customed together with herring. Different jurisdictions tended to adopt different practices with regard to this. Edinburgh’s accounts nearly always listed herring and codding together (they were customed separately only in 1537 and 1576). The Pittenweem Group, on the other hand, generally listed the two separately. It should be noted that occasionally only one was listed in the enrolled accounts, but particular accounts reveal the customs were in fact for both types of fish.<sup>8</sup>

The cod listed individually, or at least to the nearest long hundred, were customed at the rate of 2s. per 120 until 1510, when the rate was doubled. These fish were sometimes further described as dried, salted or peilled (i.e. unpacked) cod. This refers to the fact that

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<sup>5</sup> J.R. Coull, *The Sea Fisheries of Scotland*, p. 58.

<sup>6</sup> At the close of the sixteenth century, Fynes Moryson claimed that red and pickled herring were exported from the West coast to Ireland and neighbouring places. Two groups in the 1610s tried to secure a monopoly for making red herring throughout Scotland, claiming it was a costly process, and a new trade to Scotland. The latter claim was disproved, since an enquiry showed Edinburgh merchants made red herring at Dunbar in 1609. *Early Travellers in Scotland*, edited by P. Hume Brown (Edinburgh, 1973), p. 87; *R.P.C.*, X, pp. 436-9, 640-1; *Halyburton’s Ledger*, p. 337.

<sup>7</sup> The sixteenth century custom accounts do not make any distinction between the codlings, “barrelit cod” and the cod called “pakit keling”. There may, however, have been slight differences. The 1612 book of rates felt the need to give separate entries for barrels of codlings and keling, although they were customed at the same rate. Likewise, the 1597 bullion duty table mentions “kelling, codlings and ling”. Codlings, being a small fish, may always have been barrelled, while it might have been optional for the larger cod. *Halyburton’s Ledger*, p. cxvi.

<sup>8</sup> Edinburgh’s enrolled accounts in 1565, 1574, and 1579 simply listed herring. The corresponding particular accounts clearly state the customs were for both herring and codling. NAS, E.71/30/14, 18, 20.



these relatively large fish were preserved by being salted and dried without being barrelled,<sup>9</sup> though some form of container or barrel may well have been used when they were exported.<sup>10</sup>

The clear cut custom division between fish by barrel and by number was largely the result of the size of the fish and hence the preservation method used. In practice the customing procedure was more ambiguous. There were occasions in the enrolled accounts when keling by number were converted into barrels and vice versa for convenience.<sup>11</sup> This could give the impression that one type of cod disappeared and another took its place, when the reality was simply a change in customing procedure. It should also be remembered that the custom accounts have a great deal of overlap between barrels of coddling and herring, and that there may have been a vast array, albeit in small quantities, of other fish types exported which were simply included in the basic custom definitions.

In addition to the fish exports, oil appears in the accounts from the late 1460s. It was initially customed at 1s. per barrel, before being increased to 2s. about the same time as herring duties doubled. In 1504 it was further raised to 3s. per barrel, and thereafter remained unaltered. There were various sources of oil in medieval Scotland, but this oil can be assumed to have been a valuable by-product of the cod fisheries.<sup>12</sup> Complicating the picture of oil customs was the fact that Edinburgh, in the final decades of the sixteenth century, rather unusually listed oil and butter together in the custom accounts.

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<sup>9</sup> J.R. Coull, *The Sea Fisheries of Scotland*, p. 84.

<sup>10</sup> There were acts requiring white fish to be barrelled in specific sized containers; this could simply refer to the coddlings. *A.P.S.*, III, c. 4, p. 82; c. 19, p. 302.

<sup>11</sup> Aberdeen's 1532 particular account gives 44 barrels and 1,320 keling; these were converted into 7 lasts and 4 barrels. Likewise, in 1580, the 77 barrels and 124 keling were recorded as 81 barrels of keling. Alternatively, in 1522-24, the conversion was to individual keling, as the 840 keling and 24 barrels were given as 1,800 keling. These examples show a barrel contained 30, 31 or 40 keling respectively. The custom rates suggest 30 keling was equivalent to a barrel. This custom ratio was maintained into the seventeenth century. *NAS*, E.71/1/2, f. 5; 1/4, f. 6v.; 1/7, f. 4.

<sup>12</sup> Herring are oily fish, but were not used for oil, presumably due to their small size. Seals and whales could provide oil, and the number of these mammals in Scotland was said to be great. The oil in question, however, is almost certainly cod oil. In the early seventeenth century proposals for a busse fishing industry, for instance, it was estimated that 6,000 cod would also yield three tuns of oil. *Scotland Before 1700 from Contemporary Documents*, p. 140. *A.P.S.*, V, pp. 221-2.

### III. SEA FISH EXPORT RESTRICTIONS

Scottish sea fish were valuable exports, and were rarely subjected to outright export bans.<sup>13</sup> This can be compared with the numerous bans on other foodstuffs during times of high prices and scarcity. The Crown introduced instead a number of decrees to ensure the lieges were adequately furnished before fish was exported. All fish were required to be brought to burghs (i.e. market), and they were to be displayed for sale before they could be preserved, barrelled, and shipped.<sup>14</sup> This was neither practical nor feasible for the more remote fishing grounds. The Crown, it should be noted, also saw this as a way of preventing sea fish exports from evading custom duties, since they would have to pass through at least one custom jurisdiction.

### IV. THE SEA FISHERIES AND THE CUSTOMS ADMINISTRATION

The organisation of herring and cod fisheries was quite different. There were different seasons, but both aimed to supply the lucrative European Lent markets. The herring fisheries were considerably more capital intensive. Nets in particular were expensive, and preserving had to be done almost immediately, requiring expensive barrels and imported salt. The capital outlay for lines and bait for cod fishing was small in comparison.<sup>15</sup> Cod was

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<sup>13</sup> Apparently some form of fish export licence was in force in the mid-1550s. *Edin. Recs.*, II, pp. 234-5.

<sup>14</sup> There are numerous acts stating herring and white fish should be brought to the adjacent burghs and towns, and in 1587 ships and goods belonging to those contravening the act were to be confiscated. By the end of the sixteenth century, at least, the policy was for herring to be sold only to lieges until a certain fixed date (at the end of September or the start of October), after which they were permitted to be packed, salted, and barrelled for export. The decrees imply this condition was not being observed. In 1596, for instance, it was noted foreigners advanced great sums of money to natives so that the herring was sold even before it had been presented on the open market. There were additionally acts in 1516, 1535, 1541, 1551, and 1552 forbidding Scots to export fish, sometimes specifically white fish, in general or to England. It was, however, normally added that the foreign, or English, merchants could legally come and purchase these fish in burghs in exchange for gold, silver, or sufficient merchandise. *A.D.C.P.*, p. 69. *A.P.S.*, II, c. 25, p. 346; c. 16, p. 373; c. 25, p. 448; III, c. 7, p. 83; c. 24, p. 146; IV, c. 19, p. 230. *R.P.C.*, I, pp. 114-5; IV, p. 216; V, pp. 308, 403-4.

<sup>15</sup> Parliament gave the proposed costs for an attempt to establish a busse fishing fleet in the Western Isles in the early seventeenth century. These costings are not comparable to the actual expenses faced by the small fishing boats in the fifteenth and sixteenth centuries, especially in the number and cost of the nets, but they do give some indication of the relative costs. For three months' fishing for cod, the hooks, lines, leads etc. would cost £14 10s. Sterling. This would result in a catch of 6,000 fish, which would require 400 bushels of salt at 2s Sterling each. A similar length of time fishing for herring

preserved by drying gradually over a long period, smaller amounts of salt were needed, and domestic salt may have been suitable.<sup>16</sup> The proximity of the shoals obviously had a huge bearing on the type of fish exported. By and large, the West coast exported substantial amounts of herring, and rarely any cod. The East coast burghs north of the Tay tended to custom cod, but in the southern burghs herring was more dominant, while Crail and Pittenweem, and Edinburgh customed both. This is a reflection on the three main commercial fishing grounds in the fifteenth and sixteenth centuries, each with a distinctive organisational structure and trade; namely around the Forth area, the Clyde Lochs, and the Hebrides. There were also substantial fishing grounds around Orkney and Shetland, but there is little in the surviving legislation to suggest Scots from the mainland were actively and commercially exploiting these areas at the time.<sup>17</sup> It is important to understand the organisation of each if any attempt is to be made to understand the herring, cod, and oil figures in the custom accounts, and in particular the extent to which these fish evaded customs.

#### (a) The Forth Fisheries

The Dutch were heavily involved in fishing the North Sea from the fifteenth century, using large busses to exploit the deep-water fishing.<sup>18</sup> The general impression of the Scottish East coast fisheries is somewhat different, as their small vessels did not venture far from the shoreline and returned nightly with their catch. This system made economic sense. The thick density of burghs on the East coast provided numerous locations where the fish could be sold and, if need be, barrelled and salted. The boats did not need the excessive carrying capacity or space to salt and store the fish, nor would a large crew be necessary. The size of the vessel and the capital requirements, therefore, could be kept to a minimum. Michell has argued that this type of organisation, within the context of the English industry, does not

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would produce between 60 or 100 lasts depending on the season. Every 1,200 barrels needed 1,200 bushels of salt, and the costs of fishing nets and gear was £120 Sterling. *A.P.S.*, V, pp. 221-2.

<sup>16</sup> In England, French salt was used for most fisheries, and Newcastle or Scottish salt for cod. A.R. Michell, "The European Fisheries in Early Modern History" in E.E. Rich and C.H. Wilson (eds.), *The Cambridge Economic History of Europe*. Vol. V, *The Economic Organisation of Early Modern Europe* (Cambridge, 1977), p. 181.

<sup>17</sup> For discussions on fishing in Orkney and Shetland see A. Fenton, *The Northern Isles: Orkney and Shetland* (Edinburgh, 1978), pp. 595, 603; H.D. Smith, *Shetland Life and Trade, 1550-1914* (Edinburgh, 1984), pp. 21-2.

<sup>18</sup> In 1410 William, Earl of Holland, helped the Dutch to make reprisal against the Scots for having ill-treated Dutch fishermen attempting to catch herring on the Scottish coasts. A.M. Samuel, *The Herring*, p. 86.

reflect any inferiority to the Dutch fisheries.<sup>19</sup> It did, however, severely limit the ability to exploit fisheries further out to sea, especially if the inshore waters proved barren. Custom evasion, under such an organisation, was no different to any other good, since the fish by necessity were brought to burghs, where they were sold, and if they were to be exported, barrelled and salted.<sup>20</sup> In the second half of the sixteenth century the East coast fishermen also ventured to the North West of Scotland to exploit the herring fisheries; some of the fish caught there was customed at the East coast burghs.

#### (b) The Clyde Lochs

Fish were plentiful in the Clyde Lochs, and contemporaries marvelled at the quantity in Gare Loch, Loch Long, and, especially, Loch Fyne.<sup>21</sup> In the late 1460s, when herring began to appear in the West coast custom accounts, the fish originated from the Clyde Lochs. In Irvine's 1480 custom account herring was described as being customed at Loch Fyne. From the following year, and for years afterwards, the Clyde Lochs were incorporated into Dumbarton's jurisdiction, which henceforth was called "Dumbarton and Lowis".<sup>22</sup> The herring in these accounts were often specifically stated as being customed at "Lowis" or the western lochs,<sup>23</sup> while the other goods, such as hides or cloth, if stated, were described as being customed at Dumbarton. This tends to suggest that there were at least two customing points in this extensive jurisdiction.

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<sup>19</sup> A.R. Michell, "The European Fisheries in Early Modern History", pp. 142-3.

<sup>20</sup> Cod and herring, along with cloth, hides, and other goods, for example, were exported from Pittenweem in the early 1490s without being customed or seen by the customar. In 1572 the customar of Dundee stated that John Moncur was the merchant and owner of a ship which had exported white fish and victual without paying the custom duties. Moncur had the audacity to repeat the fraud two months later when he took white fish to England. *E.R.*, X, pp. 381-2, 456-7. *R.P.C.*, II, pp. 141-2.

<sup>21</sup> In the early sixteenth century, Hector Boece, writing about herring, stated that in Loch Fyne there was "mair plenti than ony seis of Albion" (translation Bellenden). *Scotland Before 1700 from Contemporary Documents*, p. 71. This quote has appeared unattributed and wrongly dated to 1447 in A.M. Samuel, *The Herring*, p. 86.

<sup>22</sup> The name Lowis can cause confusion. A number of lochs in Scotland were called Lowis, and it has even been mistaken for Lewis. Samuel, for instance, misquotes a piece of legislation by giving Leuvis instead of the actual "Lowis", and then assuming it to mean Lewis. The entries in the accounts for Dumbarton and Lowis in 1505 and 1509, however, leave little doubt, for the customars were described as the customars for "Dumbarton and the western lochs" (*lacuum occidentalium*). *E.R.*, XII, pp. 370-1; XIII, pp. 226-7; A.M. Samuel, *The Herring*, p. 87.

<sup>23</sup> Dumbarton 1486, 1491, 1501, 1505, and 1509. In 1503 the Lords of Council charged the customar of Dumbarton and Lowis with an extra 11 lasts of herring customed "in the lawis," in the ship called the *Martin*, more than the 40 lasts she was charged with originally. *Acts of the Lords of Council, 1501-1503*, edited by A.B. Calderwood (Edinburgh, 1993), p. 227.



The closest burghs actively participated, and exploited the herring in the Clyde Lochs, though they were too far from the fisheries to make use of a structure similar to the Forth fisheries. The herring and other fish had to be packed and “peilit” on land nearest the catch, otherwise they would be spoiled and destroyed, or “spill and tyne”. Carrying large quantities of unhandled or unsalted fish could put the safety of a ship at risk.<sup>24</sup> Fish, therefore, were often not brought to burghs to be salted and barrelled, which might increase the opportunity for evading custom payments. Natives, however, would not have much chance to evade customs in this way, since their fishing boats were small. Even the cowper-boats, the vessels which bought herring from the fishing boats, were of no great size at West coast burghs.<sup>25</sup> These vessels would have been able to make only short journeys, and suspicion would have been aroused if they were absent for prolonged periods. Smuggling opportunities consequently may have been restricted to shipping fish to England or Ireland. There may have been an incentive to pay custom duties for ventures to these two, often hostile, countries, since the cockets would prove the goods were lawful merchandise if there were any trade disputes.

The opportunity for foreigners to smuggle fish from the West coast was considerably greater. It was easy for foreigners in their sea-going vessels to catch or purchase fish at the fishing grounds before beating a hasty retreat, feeling no need or obligation to go and pay customs at the appropriate jurisdiction. This certainly occurred in 1487 when three foreign ships (the *Barbere* of Paimpol in Brittany, and the ships of Arnald Gascon and Nicolas Margret from St Malo) departed without paying customs. Dumbarton’s customar estimated the evaded customs as around £54, equivalent to 90 lasts of herring.<sup>26</sup> This case may have ignited the Crown’s concern. In a little over a year, three acts were passed attempting to regulate activities in the West coast fisheries, and at least one sought to curtail foreign involvement. Over the following century, similar acts were repeatedly

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<sup>24</sup> These claims were made by Ayr, Irvine, and Renfrew in 1585, after it had been declared that Dumbarton was to be the staple port for all packing and salting of fish. They declared that for the last hundred years, as free burgesses, they had “made, packed and peilled their herring and fish at the Gare Loch, Loch Long, Loch Fyne, Inverkip and other places.” Fortunately for the complainants, the Dumbarton staple, like the East Coast staples at Crail and Leith, was only of short duration. *R.P.C.*, IV, pp. 16-8.

<sup>25</sup> In 1600 each “kowper” boat was to pay 3s. 4d. in imposts at Dumbarton annually. A crayer over five tuns paid the same amount for each entry. Nine years later each “cowpping” boat paid 20d. impost at Irvine, compared to 8d. for each fishing boat, 6s. 8d. for a ship over 40 tuns, and 5s. for a vessel between 20 and 40 tuns. *R.C.R.B.*, II, pp. 90-1, 278.

<sup>26</sup> *E.R.*, IX, pp. 542-4.



enacted. The legislation strove to make the West coast burghs the sole purchasing points for fish. Foreigners were allowed to buy fish only in free burghs, and the fish purchased had to be salted and barrelled in the burghs. They could not trade or buy fish in the fishing grounds. The Crown was reluctant even to let them visit the fishing grounds. Its prime concern in these acts was simply to ensure that strangers paid “their duties and customs”.<sup>27</sup> The fact that these acts were constantly re-iterated indicates they were either not enforced or were unenforceable, and certainly foreign vessels continued to visit the fishing grounds.<sup>28</sup>

### (c) West Highlands and the Hebrides<sup>29</sup>

In the sixteenth century writers mentioned that the shoals of herring had long since deserted Inverness.<sup>30</sup> In the middle of fifteenth century there was a herring assize, i.e. a tax on the catch, at Inverness, but herring never appeared in the limited number of custom accounts for the burgh. In the sixteenth century, however, other herring fishing grounds in the North became vitally important. During and after the reign of James V, the Crown tried to exert political control over the western Highlands and the Hebrides; gaining control of the fisheries during a period of high prices may have been one of the incentives. Whether or not

<sup>27</sup> *A.P.S.*, II, c. 18, p. 179; c. 15, p. 183; c. 12, p. 209; c. 24, p. 237; c. 23, p. 488; c. 37, p. 499; III, c. 24, p. 146; c. 27, p. 224.

<sup>28</sup> Ships of Brittany stopped at Ayr, “at their first passing”, on their ventures further north in 1559. NAS, E.71/3/1.

<sup>29</sup> Contemporaries appear to have referred to this area as the Isles or the North Isles. Occasionally the terms “Isles” or the “North Isles” were used in connection with Orkney and Shetland, as would be understood by present day readers. The Earl of Orkney was ordered to be prepared for the threat of robbery and invasion by Spanish ships in the North Isles and the coasts of the realm, and chiefly to the parts “ewest the cuntreys of Orkney and Shetland”. *R.P.C.*, IV, p. 739. For the unsubstantiated assumption that that boats arriving at Dundee laden with fish from the “north Ylis” refers to Orkney and Shetland see H.D. Smith, *Shetland Life and Trade*, p. 22. More frequently the references for North Isles seem to refer to the North West highlands. The West coast burghs complained about extractions when fishing off Loch Fyne, and other lochs in the “north Ilis”. *A.P.S.*, II, c. 28, p. 498. The term was used particularly for the vicinity of Loch Broom; merchants and fishers were not to go to Loch Broom and other fishings of the North Isles without royal permission. There are references to vessels lately returned from the fishing at Loch Broom and other of the North Isles. The victual on every ship passing to Loch Broom and others in the North Isles and lochs was to be noted. *R.P.C.*, I, p. 482; IV, pp. 92 121-3; *A.P.S.*, III, c. 41, p. 452. A mariner from Kinghorn was murdered when fishing in the North Isles, at the loch called “Lochstrone”; presumably Strome Ferry in Loch Carron (see, for instance, the cockets issued from “Srome in Lochquharrone” and Cromarty; NAS, E.71/32/7, f. 7). Rory McCloid and Torquill McCloid of Lewis promised, in 1576, not to hinder “his majesteis subjectis in thair lauchfull trade of fisching in the Lochis of the Lewis, or in utheris the North Ylis of this realm”. Moreover, in 1588, Francis, Earl Bothwell, was directed to proceed to the North Isles to reduce the inhabitants to the King’s obedience. This clearly means the Hebrides and West Highlands which were in a state of rebellion at the time. *R.P.C.*, II, pp. 303, 382-3, 534.

<sup>30</sup> *Scotland Before 1700 from Contemporary Documents*, p. 144.

it was the prime objective, the fisheries certainly prospered.<sup>31</sup> References to them become increasingly common in the second half of the sixteenth century, in the admittedly more abundant sources. Frequent outbreaks of fighting, however, hindered their successful exploitation.<sup>32</sup>

Foreigners had been allowed to fish Loch Broom and other lochs in the north seas if they obtained licences from the monarch. In 1566, however, the Privy Council, with the advice of the burghs experienced in fishing, ordered that foreigners were not to come to the lochs or use the commodity of fishing. The fisheries were to be a privilege enjoyed only by the “borne subjectis and inhabitantis of this realme”.<sup>33</sup> The prime concerns were to stimulate native fishing, thus providing an adequate supply of an important foodstuff, and, of course, to limit custom evasion. To achieve this, the area was incorporated into the regulations, already in place, that restricted foreign activity in the Clyde fisheries. In 1581 Parliament prohibited foreigners from trading in the lochs of the West and North Isles, though they were permitted to trade at the royal burghs where they were to pay their custom duties.<sup>34</sup> It would be miraculous if these regulations, by themselves, had much success; royal control in the Isles and loyalty to the Crown may have fluctuated, but it can never have been great.

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<sup>31</sup> Contemporaries thanked God for bringing fish to the area; “it hes plesit God to oppin ane greit commoditie to the common weil of this realme throw the fisheing of Loch Broom and utheris lochis of the north seyis”. Yet they clearly attributed the opening up of the trade to James V and his successors, whom they regarded as being “maist cairfull to bring the said fischeing to practise”. Certainly James V made efforts to pacify the Isles, or bring them under his control. In 1540 he led, in person, a fleet of 12 well armed ships on an expedition to the Isles, and in the same year he re-annexed the whole area for the Crown. Chroniclers such as Buchanan, Bishop Leslie, and Lindsay of Pitscottie agreed this venture was to “reduce the fierce spirit of the islanders to the obedience of the laws.” The anonymous historian, “An Impartial Hand”, more than two centuries later, reasoned the prime objective was to control the fisheries which had suffered from encroachment. “And to enquire fully into the abuses and violence committed by the English, especially the merchants of London who carried on a considerable fishery at the time on these coasts, and in the other northern parts of the German Ocean.” At this period the Lubeckers, helped by the English, conducted an illicit trade on the coast of Scotland, “encroaching upon the property of the Scots nation by carrying on their fishing upon their coast, without leave either asked or given”. These proceedings formed the subject of diplomatic correspondence between the courts of Scotland and England. *R.P.C.*, I, p. 482; IV, pp. 121-3. W.C. Mackenzie, *History of the Outer Hebrides* (London, 1903), pp. 131-2.

<sup>32</sup> Appendix 13, pp. 819-20.

<sup>33</sup> *R.P.C.*, I, p. 482.

<sup>34</sup> *A.P.S.*, III, c. 27, p. 224. There was nothing specifically banning strangers going to the West and North Isles, providing they did not “make any merchandise”. Any liege conducting, freighting, or piloting the strangers to the said places with a view to contravening the prohibitions (i.e. defrauding the lieges and customs) would suffer the heavy punishment of losing life, lands, and goods. The foreigners could trade at Kirkcudbright, Wigtown, Ayr, Irvine, Rothesay, Dumbarton, or Renfrew.

Natives of the Isles were, of course, fishing there prior to the royal encouragement. It is impossible to establish on what scale, and to what extent this was commercialised.<sup>35</sup> In the second half of the sixteenth century, West coast burghs extended their fishing activity in the Isles.<sup>36</sup> In 1555 they stated they had in all times past resorted to the fishing of Loch Fyne and other lochs in the “north Ilis”, for “making of hering and vther fischeis”.<sup>37</sup> The claims to the antiquity of the practice in the Isles are somewhat questionable. There had been numerous acts about these burghs and their fishing grounds in the Clyde lochs, with no mention at all of their fishing in the Isles.

More surprising was the active role played by the East coast burghs in exploiting these fishing grounds. This needed a complete change from the methods and organisation used in the Forth fisheries. The journey was relatively long, and was made longer and more hazardous by the fact the fishing took place in the worst season for weather.<sup>38</sup> The ships employed had to be large, requiring sizeable storage capacity to carry all the supplies for the ventures, which by necessity had to be taken to the Isles. All the barrels, salt, fishing gear, and provisions for the crew would have to be transported. In addition, space would be needed for the homeward bound herring cargoes. The Dundee Shipping Lists show relatively large vessels returned from the Isles laden with herring. Even if smaller fishing boats had engaged in the actual fishing, they would have had to be accompanied by larger supply or transporter vessels.<sup>39</sup>

While the Crown had been concerned about foreigners fishing and trading in the Isles, the conduct of native fishermen also became a concern. Acts passed in 1567, 1573, and 1579, (and the short lived staple act of 1584) required fishermen to sell their fish only in royal burghs to lieges. Only if there was a surplus could the fish be salted and exported, and

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<sup>35</sup> In 1590-91, a period of lawlessness, a number of cautions and registrations of bonds were given by the warring factions not to harm the boatmen and fishers (sometimes also called ‘traffickers’) of herring in the West coast within the parishes of “Ardrossane, Kilbryde, Largis, Innerkip, Kilmacolme, Erskin, and Isle of Bute and Crumrayis.” *R.P.C.*, IV, pp. 536, 566-7, 607-8, 608-9, 619, 631.

<sup>36</sup> For Ayr’s active involvement in commercial herring fishing in Isles in the 1580s and for the export of these herring to France see “The Notorial Note Book of John Mason, clerk of the burgh of Ayr 1582-1612”, edited by J. Sedden-Dobie, in *Archaeological and Historical Collections Relating to Ayrshire and Galloway*, VI (Edinburgh, 1889), pp. 223-7, 229-31, 234-5.

<sup>37</sup> *A.P.S.*, II, c. 28, p. 498.

<sup>38</sup> The Duke of Lennox’s expedition to colonise the Isles took four days to reach Stornoway from Leith. W.C. Mackenzie, *History of the Outer Hebrides*, p. 182.

<sup>39</sup> See size of fishing vessels in Appendix 12, pp. 815-8.



this was to be done by merchants and not the fishermen. Without such an action, the acts state, the lieges would be denied the “frute of the sey... for thair nurischment and the burgessis and fre men of burrowis disapointit of thair traffique and commodity” and, importantly, the king’s customs would be greatly defrauded.<sup>40</sup> These acts do not relate solely to the Isles, yet it is clear the main concern was that fishermen/merchants returning from the Isles could easily by-pass burghs and export fish directly overseas. The combination of preserved fish<sup>41</sup> and relatively large and hence sea-worthy vessels meant that ships did not necessarily have to call in at a burgh on the return journey. This abuse nearly occurred in November 1586, when ships, returning from Loch Broom and other of the North Isles fisheries, lay in the Forth intent on exporting their cargoes rather than selling the fish in the burghs to the lieges. The Privy Council promptly demanded that the fish be unloaded and sold within 48 hours.<sup>42</sup> Given the higher prices in foreign markets, it was not surprising that owners were keen to export fish rather than supply the domestic market.<sup>43</sup>

The actual level of evasion, however, should not be overstated. The punishments for evading customs was harsh, while the custom duties were small and had not changed for generations. Moreover, compared with some of the “unlawful” extractions taken in the Isles the great customs were insignificant. We can imagine that fishermen would be inclined to appear as dutiful subjects to the King in an attempt to secure a favourable reception for their

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<sup>40</sup> *A.P.S.*, III, c. 62, p. 42; c. 7, p. 83; c. 24, p. 146; c. 19, p. 302.

<sup>41</sup> Herring would have to be salted and barrelled or they would have soon spoiled. The fish could have thereafter been repacked in the burghs. A Parliamentary act in 1639 dealing with fishing in the Isles certainly states re-packing was necessary, but herring was customed at these locations, suggesting it was fit to be exported. Moreover, merchants insisted that the herring from the Isles be a good and sufficient quality and, importantly, “merchantable”, and sometimes it was sent directly to foreign markets. Re-packing at burghs presumably was not necessarily the norm. In the act Parliament may have been trying to improve the quality of the preserving. *A.P.S.*, V, p. 597b; *Wedderburne’s Compt Buik*, pp. 55-6; “The Notorial Note Book of John Mason”, pp. 223-7, 231.

<sup>42</sup> *R.P.C.*, IV, pp. 123-4. To prevent a repeat the following year, it was ordered that vessels passing to these locations for the fishing season had to pledge to return with a third of their load of herring or white fish to the free burghs where the fish was to be sold to lieges, under the pain of £100. *A.P.S.*, III, c. 41, p. 452.

<sup>43</sup> Parliamentary estimates in the early seventeenth century, based on Edward Sharp’s work, claimed that fish carried directly to foreign markets received a price higher by a third. The export of the fish also allowed foreign wares to be purchased which could be sold at a premium at home. *A.P.S.*, V, pp. 221-2; Edward Sharp, *Britaines Busse or a Computation as well of the Charge of a Busse or Herring-Fishing ship. As also of the Gain and Profit Thereby. With the States Proclamation Annexed unto the same, as Concerning Herring-Fishing* (London, 1615; reprinted Amsterdam, 1974).

complaints about these exactions.<sup>44</sup> The high capital costs of the expeditions meant that merchants<sup>45</sup> advanced money or goods, which were repaid in money or, more probably, in fish, on their return.<sup>46</sup> Fishers/merchants, therefore, in effect, had to return to the burghs with their cargo. In any case, while there may have been a number of larger vessels involved in these fisheries, it is not certain that even these would be sufficiently profitable to engage in overseas trade. A contemporary noted that very large vessels were needed to take fish to the Baltic or France, especially for the latter, if they returned laden with wine.<sup>47</sup> It is conceivable that most fish would have been brought to burghs to be reloaded into such ships.

During the sixteenth century the custom jurisdictions to the north of Aberdeen were virtually always leased, and this included the North West of Scotland,<sup>48</sup> which makes it impossible to establish the extent of the exports from the area. This is unfortunate, since the legislation, contemporary descriptions, and other references suggest their herring fisheries

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<sup>44</sup> In 1576 the feuding Rory and Torquil McCleod of Lewis promised not to molest, trouble or raise any extortion or imposition on any of the King's subjects lawfully engaged in fishing in the Lochs of Lewis or any other of the North Isles. By 1585 their hostilities had been renewed, and almost immediately fishermen complained about unlawful extractions. In May 1586, Crail claimed the countrymen in the North Isles were extorting great sums which had not been taken in the last nine or ten years, adding that a boat of ten lasts burden was compelled to pay £40 for "customs, ankerage, wod lief, ground lief, and all vther duties", whereas previously it had only paid £6. The following year the matter was raised with the Privy Council. Fishers, it was noted, previously paid 3s. 4d. for ground leave, anchorage, and the other duties to the master of the ground. They now had to pay 20s. per last of fish for ground leave, 6s. 8d. for anchorage, and they had to pay 4s. and victual to the bailies. In addition fishers complained about having to pay for the right to erect shelter, the profiteering of the inhabitants who rented out boats, locals who stole their nets, and being compelled to answer to the local court. The extractions may have had some antiquity and the clansmen presumably felt they had a historic right to collect them. The greatly increased and additional duties were presumably a direct result of the lawlessness in the territory during the period. In 1587, Parliament asked the auditors of the Exchequer to consider how to maintain peaceable and quiet fishing in the lochs and isles upon the North and West coast. The only way, in fact, was to subdue the Isles. *R.P.C.*, II, p. 534; IV, pp. 121-3; *A.P.S.*, III, c. 51, p. 455; *R.C.R.B.*, I, p. 213.

<sup>45</sup> The Dundee Shipping Lists show that the herring arriving on vessels from the Isles belonged to a number of people. *Wedderburne's Compt Buik*, pp. 197-9, 218-23.

<sup>46</sup> Appendix 12, pp. 817-8.

<sup>47</sup> This was the view given in Edward Sharp's proposal for an English busse fishing fleet. Fishing vessels were to be capable of carrying 30 lasts of fish but if the fish were to be exported to Danzig, "Meluyn", Sweden, France or elsewhere, the fish would have to be loaded into ships capable of carrying 100 lasts. He argued that despite the higher price overseas, profits from the fish would be small, mainly due to the high cost of freight. Substantial returns, however, could be made from the merchandise in the return cargo. Edward Sharp, *Britaines Busse*, section d.

<sup>48</sup> In January 1573, for instance, the customs of the burgh and sheriffdom of Inverness and the lochs of Loch Broom, Loch Carron, the lochs of Lewis, and all other lochs in the North Isles and others within the sheriffdom of Inverness were leased for an annual payment of £100. *R.S.S.*, VI, no. 1800.



were of considerable importance in the second half of the sixteenth century. It is possible, however, to trace some of the cockets issued in these areas in the entry books of cockets. Occasionally, therefore, the quantities of fish customed in the Northern parts and taken south to be exported can be determined.

Throughout the sixteenth century the Northern burghs sent cod and codling to Edinburgh to be exported. Initially these were customed in the Spey ports, but from the second half of the century they came mainly from Thurso and Wick. This cod may well have been fished in the Pentland Firth. Generally quantities were small, although in the three accounts between 1559-65 relatively large amounts were received, in fact more than double the quantity in the other ten accounts combined.

Edinburgh's surviving entry books of cockets in the first six decades of the century do not record any herring from Northern Scotland except for 232 barrels of herring customed at Inverness and sent to Edinburgh in ca. 1540.<sup>49</sup> In 1565 Edinburgh received 402 barrels of herring customed at Inverness, and in the next three accounts, which cover most of the second half of the 1560s, 7,530 barrels were recorded.<sup>50</sup> Unfortunately, the exact length of these three accounts is not known. They most likely cover 1566-72, which would mean an impressive 1,255 barrels per year were sent to Edinburgh to be exported. The jurisdictions were listed as Loch Broom and Strome in Loch Carron. These are likely to have been deputy offices of Inverness, created as the trade prospered. A similar trend is observable in Dundee. No herring was received in 1555 and 1563,<sup>51</sup> but in 1566, 153 barrels of herring from Loch Broom were sent to Dundee in at least five ships, and one unnamed type of vessel, on the 9<sup>th</sup> and 10<sup>th</sup> of December.<sup>52</sup> The herring from the North West received by Edinburgh and Dundee was substantial in a Scottish context- equivalent to roughly half the level of the exports of the Pittenweem Group, the main herring customing point.

This trade via Edinburgh did not last, and in the final two decades of the century their accounts do not record any receipts of herring from the North West. It is not possible

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<sup>49</sup> Edinburgh's entry books of cockets for 1511, 1513, 1528, 1538, 1559, and 1563 do not contain herring from Northern Scotland. NAS, E.71/29/2-4; 32/1, 3, 8.

<sup>50</sup> NAS, E.71/32/4, f. 8v.; 32/5, f. 6; 32/6, ff. 8v.-9; 32/7, ff. 7-7v.

<sup>51</sup> NAS, E.71/12/5; 32/3.

<sup>52</sup> NAS, E.71/12/7, f. 6; for the original cockets see NAS, E.75/5.

to pinpoint when the collapse occurred, since there are no entry books for cockets for Edinburgh in the 1570s. Yet if Dundee is any indication, the trade continued into the mid-1570s at least.<sup>53</sup> In 1583, 215 barrels of herring customed at Loch Broom arrived at Aberdeen, though normally the herring by-passed the burgh.<sup>54</sup> By 1587 the custom jurisdiction of Caithness, Sutherland, and Strathnaver was discharged because it was not profitable.<sup>55</sup> It appears the quantity of herring customed in Northern Scotland and sent south to be exported was drastically reduced in the final decades of the century after a substantial, if brief, trade. These flawed figures are our best for the area's herring exports. It should be borne in mind, however, that customed fish may not have been sent south for export, or, reflecting the particular concerns of the Crown, herring may have avoided customs altogether.<sup>56</sup>

It appears to have been perfectly normal and acceptable that goods from Northern Scotland which had not been customed, would be customed at the first port in which they arrived.<sup>57</sup> This certainly seems to have been the case for North West herring at the Pittenweem Group. The Pittenweem Group's particular accounts in the 1570s include the "overplus" (or surplus) of herring from the cockets from the Isles. The cockets are variously described as being from Loch Carron, Loch Kennel, Loch Ewe; Loch Carron and Lowis (which may be Lewis, rather than Lowis); and Loch Broom. The fish came from these areas, but the customs were paid at the Pittenweem Group, along with the separately listed Forth fish- the enrolled accounts make no distinction between them. This phenomenon is important since the quantities of fish from the Isles were considerable and increasing, while the level of Forth fish stayed much the same (see Table 9-1). No other custom or particular account lists these "overplus", yet it can be safely assumed that other burghs did custom and export Loch Broom herring, although perhaps not on such an impressive scale.

<sup>53</sup> In 1576 Dundee received 348 barrels of herring customed at Loch Broom. NAS, E.71/12/8, f. 12.

<sup>54</sup> Aberdeen's particular account includes a further 107 barrels of herring, which were probably also customed at Loch Broom, but this cannot be determined for certain. NAS, E.71/1/9, f. 17v. The particular accounts for Aberdeen in 1577, 1580, 1582, and 1584 do not contain any herring customed at Loch Broom. E.71/1/6-8, 10.

<sup>55</sup> *R.C.R.B.*, I, pp. 262-3.

<sup>56</sup> *R.P.C.*, IV, pp. 123-4; *A.P.S.*, III, c. 41, p. 452.

<sup>57</sup> This evidently was perfectly normal for the area. During the leasing of the whole customs by the burghs in the 1580s, it was felt that collecting the customs in Caithness, Sutherland, and Strathnaver was sometimes not profitable, so the tack and any customing there was to be discharged. Instead the goods were to be customed, as in use before, at the ports where they "shall happen" as in use before. *R.C.R.B.*, I, pp. 262-3.

**Table 9-1: The Pittenweem Group's Herring Exports, 1573-77\***

<i>Source</i> NAS, E.71	<i>Period</i>	<i>Overplus Herring</i> <i>Barrels</i>	<i>Forth Herring</i> <i>Barrels</i>	<i>Total</i> <i>Barrels</i>	<i>% Overplus</i>
6/5-7 <sup>1</sup>	Dec 1573-Nov 1574	419 <sup>2</sup>	2,555	2,974	14%
6/8	Nov 1574-Nov 1575	1,387 <sup>3</sup>	2,782	4,169	33%
6/9	Nov 1576-Nov 1577	3,459 <sup>4</sup>	1,938	5,397	64%

\* The jurisdiction's earlier particular accounts in 1557, 1566-67 and 1570-72 do not list any "overplus". Either there was none, or else the convention of listing them separately had not started. The short account covering August to October 1582 (NAS, E.71/6/10) contains 2,428 barrels of herring, but no "overplus" was listed; presumably it was the wrong time of year.

<sup>1</sup> The three accounts cover December 1573-November 1574. All the "overplus" was customed between December 1573 and the following March (NAS, E.71/6/5).

<sup>2</sup> Overplus of Loch Carron, Loch Kennell and Loch Ewe. The first three entries are given as the 6-7<sup>th</sup> January 1574.

<sup>3</sup> Overplus of Loch Carron and Lowis (perhaps the Western Lochs but it seems more likely to be Lewis).

<sup>4</sup> Overplus of Loch Broom.

## V. CONCLUSION

The sea fish entries in the custom accounts are by no means as straightforward as they seem. Herring, coddling, and cod regularly appear, but there are overlaps between these three main custom types; moreover they mask a wider variety of insignificant fish exports. More importantly, the custom figures as indicators of exports can be distorted by a number of significant other factors. The very nature of the sea fisheries meant fish could be exported without passing through burghs and custom jurisdictions. There may not have been severe highs and lows in smuggling activity associated with export bans, since fish exports were never banned outright, yet custom evasion must have occurred. In particular the multitude of foreigners, particularly the Dutch, fishing Scottish waters can rarely, if ever, have felt the need to land their catches and pay custom duties to the Scottish Crown. These, of course, were not properly speaking Scottish exports. In effect, where the fish are caught is irrelevant; the real significance is to whom returns accrued. If none of the returns came to Scotland, such fish can scarcely be considered a "Scottish export". The custom figures would only be skewed if there were a change in foreign merchants' propensity to pay customs- which would be surprising. If, on the other hand, the fish which evaded customs were purchased by foreigners from Scottish fishermen then this would, justifiably, be

considered as a distortion of the Scottish export figures. This scenario would be most common in remote locations and where foreigners and natives fished and traded together, and this seems to have applied mainly to the Clyde Lochs and, even more so, to the North West. Interaction may not have been great. The Dutch tended to fish the deeper water in the North Seas (they dominated the fishing from Orkney and Shetland, southwards), and so there may not have been much contact with the coast-hugging native boats. For natives the greatest opportunity to smuggle fish was from the North West Highlands, though this, in reality, may not have been entirely practicable.

Smuggling of fish from the North and West may have been more prevalent, but in any case the customs figures for the former do not exist, since they were generally leased. This is by far the most serious drawback to using the custom accounts as evidence for fish exports. Herring exports from the North West, after all, were substantial in the 1560s and, possibly, the 1570s. The custom figures are further distorted because fish from the North West were sometimes customed at distant royal burghs without the procedure being acknowledged in the enrolled accounts. The Pittenweem Group's particular accounts in the 1570s show a sizeable and fluctuating level of fish customed at Pittenweem which originally came from Loch Broom *et al.* These factors must be borne in mind when analysing sea fish exports by using the custom accounts.

## CHAPTER 10

### SALT

In the second half of the sixteenth century a series of ventures were undertaken to improve the quality of salt in Scotland. One such undertaking, in 1587, claimed that salmon, keling, ling, and other fish could not be made or dressed with the small salt produced in Scotland, and were dependent on being preserved with great salt imported from Brittany and Spain.<sup>1</sup> This slightly exaggerates the deficiencies of Scottish salt. There are, after all, references to it being used in England to preserve cod.<sup>2</sup> There is, however, little doubt that Scottish salt was of extremely poor quality, and this continued as the improvement ventures came to nothing. Scottish salt was produced by boiling and evaporating seawater in vats or pans over coal fires. Around six to eight chalders of coal were needed to produce one chaldar of salt and the process lasted between 22-28 hours. Because of the speed and intensity of the operation, compared with solar evaporation or slow boiling over turf, the crystals of salt did not form into large grains, hence its name, small salt.<sup>3</sup> Moreover, the quality of fast boiled salt was poor since there was less time to clear the impurities, while further impurities were imparted by using coal.<sup>4</sup> This salt would not normally have been sufficient for preserving the fish and flesh intended for export, leaving Scotland largely dependent on imports of great salt.<sup>5</sup> It was nonetheless exported in its own right, primarily for industrial purposes. Sometimes export bans even had to be imposed, to ensure adequate domestic supplies. This chapter will

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<sup>1</sup> The aim of this venture was to produce refined salt, or "salt upon salt", for which a seven year production monopoly was granted. *A.P.S.*, III, c. 100, pp. 494-5. In 1563 a fifty year monopoly in the new way of producing salt was granted to the strangers who invented it. At the close of the century the ever enterprising Eustachius Roghe, Fleming, received a monopoly to produce great salt. His method of making a greater quantity of better salt, it was stated, would raise the king's revenue by 100,000 merks annually. *A.P.S.*, II, c. 7, p. 538; IV, c. 69, p. 156; p. 182b; pp. 187b, 188a.

<sup>2</sup> A.R. Michell, "The European Fisheries in Early Modern History" in E.E. Rich and C.H. Wilson (eds.), *The Cambridge Economic History of Europe*. Vol. V, *The Economic Organisation of Early Modern Europe* (Cambridge, 1977), p. 181. In 1574 Scottish salt was taken to Norway specifically for "making of fische". *R.P.C.*, II, p. 411.

<sup>3</sup> In the enrolled accounts it is called *grecis* salt; the editors of *The Exchequer Rolls of Scotland* have translated this as fine salt. The actual customars in their particular accounts called it small salt.

<sup>4</sup> A.R. Bridbury, *England and the Salt Trade in the Later Middle Ages* (Oxford, 1955), p. 22, and note 4 on p. 52; C.A. Whatley, *Scottish Salt Industry, 1570-1850* (Aberdeen, 1987), pp. 5-6, 9-10.

<sup>5</sup> There were various acts to encourage salt imports, or regulate its price. *A.P.S.*, II, c. 33, p. 348; c. 43, p. 351; c. 18, p. 373; c. 35, p. 499.



assess the validity and usefulness of the salt custom figures, as evidence for native Scottish salt exports.

## I. SALT CUSTOMS

In 1398 customs were imposed on a wide variety of goods for the first time. Salt was not included, but was mentioned in the following year when these levies were ordered to be implemented.<sup>6</sup> These customs do not seem to have been collected, or, at least, they were not included in the custom accounts. Salt, like the other commodities, did not begin to be customised in earnest until James I's reign. The act initiating the duty has not survived, though salt appeared in Edinburgh's accounts from 1428, at Aberdeen in 1435 and Haddington in 1437. Following James I's death in 1437, these duties lapsed.

Salt re-appeared in Edinburgh's July 1451-December 1452 custom account, when nearly 360 chalders were customised. It promptly disappeared as James II granted an exemption from salt and miscellaneous fells customs to the merchants, burgesses, and community of Edinburgh in November 1451. Identical gifts were also given to Aberdeen, Haddington, Linlithgow, Montrose, Stirling, Dundee, and Perth, while the inhabitants of Dysart were freed from all their salt customs.<sup>7</sup>

These burghs maintained their freedom from duties on miscellaneous fells for a further three-quarters of a century at least, and when fell customs were included in their accounts they were clearly only levied on non-burgesses. The salt custom, on the other hand, was re-introduced immediately after James II's death in 1460. Salt was included in Edinburgh's 1461 account and three years later a custom jurisdiction was created at Dysart

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<sup>6</sup> *A.P.S.*, I, pp. 571, 574.

<sup>7</sup> *Charters and other Documents Relating to the City of Edinburgh, A.D. 1143-1540*, edited by J.D. Marwick (Edinburgh: Scottish Burgh Records Society, vol. 7. 1871), pp. 71-3. *Charters and other Documents Relating to the Royal Burgh of Stirling, 1124-1705*, edited by R. Renwick (Glasgow, 1884), pp. 32-3. *Charters and Writs Concerning the Royal Burgh of Haddington, 1318-1543*, edited by J. Wallace-James (Haddington, 1895), pp. 21-23. *Charters and Other Writs Illustrating the History of the Royal Burgh of Aberdeen*, edited by P.J. Anderson (Aberdeen, 1890), p. 25. *Extracts from the Council Register of the Burgh of Aberdeen, 1398-1570*, edited by J. Stuart (Aberdeen: Spalding Club, vol. 12. 1844), p. 47. *A.P.S.*, V, c. 211, pp. 460-1. *R.C.R.B.*, I, p. 213. *R.M.S.*, II, no. 543. Dundee and Perth referred to their charters from James II in later appeals against the imposition of fell duties, see Chapter 6, notes 85 and 87 on pp. 158-9.

specifically to custom it. Salt continued to be customed and appear in the accounts until the close of the sixteenth century, and there is no evidence of duties being levied only on non-burgesses in the “exempt” burghs. When Dysart tried to have its exemption from salt customs re-instated, it merely resulted in the burgh’s charter being formally revoked,<sup>8</sup> and there is no evidence to suggest the other burghs applied to have salt freedoms re-introduced. This is in stark contrast with their frantic efforts to ensure fells remained duty free.

### Salt Custom Duties

Salt’s first appearance in the custom accounts was at Edinburgh in 1428, when it was customed with woollen cloth. In the burgh’s next account salt, cloth, and English imports were all recorded together. Thereafter salt was listed separately. It appears to have been customed on the basis of value rather than quantity during this period. The entries at Edinburgh in 1430-31 and 1435 give only the monetary customs, the standard procedure for goods paying *ad valorem* duties at the time. Quantities were listed in the accounts for Aberdeen in 1435, and Haddington and Edinburgh in 1437. There was no standard duty per quantity, which again tends to suggest it was assessed by value.<sup>9</sup> The rate of the *ad valorem* duty is not known, but the Exchequer’s demand in 1467 that salt be customed at 2s. per £, might have had some basis in past precedent.

Salt exports may initially have been subject to *ad valorem* duties. This method, however, did not persist. Following the re-introduction of salt customs, it was always customed on the basis of the quantity. This was normally to the nearest half chalder, although occasionally the measures were more precise. Salt was customed at 2s. per chalder in its only appearance in the 1450s. Interestingly, the rate was only 1s. per chalder in the 1460s. In 1467 the auditors of the Exchequer demanded that Edinburgh’s customars levy 2s.

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<sup>8</sup> In 1479 Dysart’s charter exempting them from salt customs was revoked. This, presumably, refers to the Exchequer’s rejecting the burgh’s attempts to re-assert their former rights, rather than the freedom itself being ended at this time. Their salt customs, after all, remained relatively stable before and after the charter was rejected. The burgh may have been trying to use the charter to ensure they were not subject to increased custom duties, since in the same year Dysart’s salt customs were doubled to 2s. per chalder, the last jurisdiction to levy at this raised rate. *E.R.*, IX, p. 628. During the early years of James V’s reign Dysart, apparently unsuccessfully, tried to re-assert their exemption. A.L. Murray, *The Exchequer and Crown Revenue of Scotland, 1437-1542* (unpublished Edinburgh Ph.D. thesis, 1961), p. 154.

<sup>9</sup> Haddington’s salt was customed at 18d. per chalder, Edinburgh’s at 22¾d., while Aberdeen customed 12 chalders at 38s. 5d. giving a duty of 38.4d. per chalder. Through a misreading of the last entry and a misunderstanding of the custom procedure the editor of *The Exchequer Rolls of Scotland* stated the custom duty for 12 chalders of salt was 5d. *E.R.*, IV, p. cxxviii.

per £ value on salt exports. In their next account salt was customed at 2s. per chalder. This must have been acceptable to the Exchequer as it continued to be applied at a universal rate throughout Scotland from 1479.<sup>10</sup> The custom duty stayed the same until it was doubled to 4s. per chalder in the 1560s and thereafter it remained unchanged.<sup>11</sup>

In the final quarter of the sixteenth century, Edinburgh's custom accounts started to include separate entries for salt customed by the barrel. These also appeared at Dundee, Kinghorn, and St Andrews in the last three years of the century, and were recorded as stulling at the Pittenweem Group in 1576-77.<sup>12</sup> Both barrelled salt and salt by the chalder were native produce, and both were described as small salt in the accounts. The custom duties on barrelled salt appear to have been double those of salt by the chalder. Each barrel of salt was customed at 1s., and according to the 1612 book of rates each barrel contained two bolls of salt.<sup>13</sup> A chalder of barrelled salt, therefore, was customed at 8s. Barrelled salt may have been genuinely more valuable than the salt exported in sacking or even simply shovelled on to vessels. It would be interesting to know if salt arriving in barrels was more expensive, and further whether this was because it had been stored better or was a higher quality originally, or both. What can be determined is that the separate appearance in the custom accounts represents a new customing procedure rather than a trading development. Presumably before and during the final third of the sixteenth century, barrels of salt would simply have been converted into chalders in the accounts.<sup>14</sup>

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<sup>10</sup> In Edinburgh's 1474 account salt was customed at 1s. per chalder, but the next entry in 1476, and thereafter, was for 2s. When salt appeared in the accounts for Haddington and Prestonpans in 1477-78, and 1479-80 it was also charged at 2s. per chalder. In Crail and Ravenscraig's account rendered in 1471 and Dysart's accounts from 1473-78 salt was customed at 1s. per chalder. From 1479 Dysart customed salt at 2s.

<sup>11</sup> The Pittenweem Group's 1563 account was the first to include salt customed at 4s. per chalder. The other burghs were slower to introduce the rate. The old rate continued to be applied at Edinburgh until at least November 1565, and was given in Dysart's account covering 1565-69. By the 1570s all burghs customed salt at 4s.

<sup>12</sup> Dundee 1597, 1598 (b), Kinghorn 1598 (a) and St Andrews 1599. CAP 1576, NAS, E.71/6/9, ff. 10-12. Lasts and barrels of salt appear very occasionally in the custom accounts prior to this. These are likely to be the result of clerks confusing bolls and barrels, both of which would be abbreviated in the same form in the particular accounts. Edinburgh 1554, CAP 1597, Dysart 1480, 1500.

<sup>13</sup> *Halyburton's Ledger*, p. 339.

<sup>14</sup> On the 10<sup>th</sup> of November 1589 it was entered into Edinburgh's burgh records that Christierne Hansoun of Denmark, owner of the *Gabriell*, and James Jacobsoun the master, owed George Bruce in Culross 340 rix dollars for 37 lasts of salt they bought from him and shipped in the *Gabriell*. They bound themselves to pay the sum to his factor in Elsinore before the 1<sup>st</sup> of March. In Culross's particular account the pair are recorded as exporting 16 chalders of salt on the *Gabriell*. These two quantities may not be directly comparable. George Bruce, who was also the customar at Culross, may not have customed all their salt, and it is not certain if the lasts refer to sea lasts. What is important, however, is that, for customing purposes, the barrels of salt were converted into chalders. *Edin. Recs.*,

The reason for a separate custom listing, and a higher custom duty per quantity, may be related to the close relationship between barrelled salt and stulling. Stulling was the term for goods taken to Northern Europe, especially Norway, to secure timber supplies.<sup>15</sup> There are references to salt as stulling in the early sixteenth century.<sup>16</sup> More importantly, in the final decades of the century, the necessity for obtaining timber meant goods exported as stulling were not subject to export bans. In 1573 all salt exports were banned except by those from “Norway or vtheris of the Eist parts” who had brought timber to Scotland. Six years later the Convention of Royal Burghs desired no impediment should be put in the way of those passing to Norway with salt or other stulling goods for the home bringing of timber.<sup>17</sup> In 1575 and 1577 Dundee customed chalders of salt as stulling, but perhaps it was more common for barrels of salt to be stulling. In 1577 the Pittenweem Group exported 29 chalders of salt, described as “salt upon licence” and 202 barrels of salt called stulling.<sup>18</sup> Edinburgh’s accounts do not list any stulling goods by name, presumably because of the large number of stulling commodities, but it is noteworthy that the burgh’s accounts listed barrelled salt in 1575 immediately after the Exchequer deliberated on what “guidis and victuallis transportit to Norway callit stulingid for hamebringing of tymmer and quhat custume salbe takin [th]airfore”.<sup>19</sup>

The separate entries lead to slight inconsistencies in the accounts. It is easy to convert barrels of salt into chalders for the sake of consistency, at the rate of eight barrels per chaldar. More problematically, however, there is not normally an individual breakdown of stulling commodities. Fortunately this will not have had much effect on the salt customs. Only a few burghs listed stulling, and even in the very unlikely scenario that all the unnamed stulling entries were for salt it would only have a minor impact on total salt export figures.

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V, p. 9; NAS, E.71/7/4, f. 4.

<sup>15</sup> See Appendix 8, pp. 788-90.

<sup>16</sup> *T.A.*, IV, pp. 289, 306-7.

<sup>17</sup> *A.P.S.*, III, c. 3, p. 82; *R.C.R.B.*, I, p. 76.

<sup>18</sup> NAS, E.71/6/9, ff. 7, 10-12.

<sup>19</sup> NAS, E.71/6/6, f. 9.

## II. SALT CUSTOM JURISDICTIONS

Salt exports were continuously customed from 1461 onwards. Very occasionally minuscule quantities were customed at Dundee and Montrose,<sup>20</sup> but overall, salt exports were almost exclusively confined to the Forth ports. The custom jurisdictions for salt in the Forth, however, are far more complex than for other goods. Furthermore, the custom leases detract from the salt customs to a greater degree than any other Scottish export. The custom jurisdictions on the north and south shores of the Forth and the leases, therefore, have to be examined if salt customs and exports are to be understood.

### (a) North Forth

In 1463-64 a new custom jurisdiction was created at Dysart and Ravenscraig. Their first account contained 48 chalders of salt, the duty on 27 of which had been collected by Edinburgh's salt customar prior to their jurisdiction's creation. It is likely that all the area's salt was customed at Edinburgh before 1463-64. The jurisdiction disappears from the custom rolls after this solitary account. Instead, in 1465-67 there were accounts for Dysart in the burgh rolls, purporting to be the burgh's petty customs for salt and victual, but which, in all likelihood, were really import and export customs.<sup>21</sup> Between July 1469 and July 1471 William Haket rendered a custom account for Crail and Ravenscraig, which included salt. He continued to custom salt after this, but the jurisdiction was described as for the ports of Dysart and Pittenweem. Later it was listed as for the "salt and fish of Dysart and Pittenweem, and the north shore of the Forth". Virtually all the salt was described in these accounts as being customed and exported from Dysart.<sup>22</sup> Certainly, the quantities were impressive, with over 150 chalders of salt being exported per year between July 1471 and August 1484.

After 1485 Dysart and Pittenweem were split into two separate jurisdictions. Dysart's salt exports increased slightly, averaging over 200 chalders each year from April

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<sup>20</sup> Dundee's 1497 account included nine chalders of salt. The burgh's occasional salt entries between 1533-47 totalled 67 chalders. Salt was customed at Dundee in most years (sometimes as stulling) from 1574 to 1582; the total quantity customed was less than 30 chalders. Finally, in the two years following July 1596, 102 barrels of salt, equivalent to 12¾ chalders, were recorded. Montrose's trade was even smaller. 10 chalders were customed in 1500 and a further 1¾ chalders eighty years later.

<sup>21</sup> In 1465 the wheat and salt petty customs were £5 15s.; 1466 salt and malt £4 18s.; 1467 malt, salt and fish £7 18s. 8d. *E.R.*, VII, pp. 375, 514-5.

<sup>22</sup> All the salt in 1474, 1476, 1478-80, and 1484 was described as being customed and/or exported



1485 to June 1496, before falling to 55 chalders per year to July 1505. The burgh's accounts were the only ones from the north shore of the Forth to contain salt until the end of the 1530s, with a sole exception- a small quantity of salt customed at Pittenweem by an independent customar in 1490. Presumably this was the export pattern, rather than Dysart's customars having responsibility for customing all the salt exported from the north shore of the Forth. The letters appointing the customar of Dysart and Wemyss in 1500, after all, made no mention of an extensive salt customing mandate.<sup>23</sup> Given this dominant position it is unfortunate that Dysart's customs were leased for all but two years between July 1505 and September 1538. This seriously hinders the analysis of salt exports from the North shore of the Forth, and indeed Scotland as a whole.

The accounts for Kinghorn and the Pittenweem Group in 1538-43/6 do contain salt. The quantities were very small, together averaging 12 chalders per year. The customs at Dysart at the same time were also tiny, at around nine chalders per year. Small quantities of salt continued to appear sporadically in the accounts in the 1550s and 1560s, although it should be noted that in the 1560s the customs of numerous burghs were leased. In the 1570s salt exports from the north of the Forth expanded rapidly. Together Dysart and Pittenweem's average exports per year were over 160 chalders between 1574 and 1582, compared with around 10 chalders per year during the 1550s and 1560s. Inverkeithing and Burntisland also began to custom salt. Even these figures, however, fail to show the full extent of salt customs from the north shore of the Forth at this time.

In 1575 it was decreed that any ship laden "in the narrow watter of the Firth of Forth at the Powis of Alloa, Auch [Airth?], Grangemouth, and sic uther partis quhair na schippis usit to tak thair full laidynning of before" was to present its entries to the principal clerk of Edinburgh, to be searched by him and receive a general cocket.<sup>24</sup> In other words Edinburgh took responsibility for the customing of the goods, primarily salt and coal, from the Narrows of the Forth. This arrangement may not have been sufficient, because a searcher for the salt exported from the town and lordship of Culross (except Crombie) was appointed, and shortly afterwards Culross was created a separate jurisdiction, covering from Stirling to Queensferry.<sup>25</sup> The quantity of salt in Culross's accounts was impressive, and tellingly,

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from Dysart.

<sup>23</sup> *R.S.S.*, I, no. 439.

<sup>24</sup> *R.P.C.*, II, p. 446.

<sup>25</sup> *R.S.S.*, VII, no. 1642; NAS, E.71/7/1, f. 1; Culross 1580-81.

Edinburgh's salt customs declined dramatically once the jurisdiction was created. It is obvious that the salt from the jurisdiction at Culross had been included in Edinburgh's accounts.<sup>26</sup>

As indicated in the reference, it is conceivable that salt exports from Culross and those around the headland of the Forth, took off only in the 1570s. It cannot have been unknown for Culross's salt to be exported in the early 1570s,<sup>27</sup> but the burgh was listed as only having 7 salt pans, few in comparison with Kirkcaldy and Dysart who could boast 39 between them, or the 38 at Prestonpans and Musselburgh.<sup>28</sup> Furthermore, Culross was slow in confirming compliance with the salt exporting conditions, compared with the mad dash by Dysart, Kirkcaldy, and Prestonpans to ensure their salt could be exported. Culross's salt and coal production increased immeasurably following Sir George Bruce's lease of the coal mines there in 1575. The technological advances he made to Culross's collieries and the enormous empire of salt pans he built up, 44 salt pans from 1572-1625, have been well documented.<sup>29</sup> By the early 1580s Culross was exporting over 500 chalders of salt per year. It is unlikely the area's exports were on such a grand scale for any great length of time prior to the separate jurisdiction being created.

One serious omission from custom accounts for the north shore of the Forth becomes increasingly apparent in the final decades of the century. In 1573 there were said to be 23 salt pans in Kirkcaldy, roughly the same number as in Dysart and Wemyss.<sup>30</sup> Kirkcaldy's customs, however, were owned by Dunfermline Abbey, and even in the 1590s, when the burgh's accounts were rendered to the Crown, they did not contain any exports. The significance of the burgh's salt exports is obvious in the document entitled the Custom Book of the Small Salt Transported Furth of the Realm, 1599-1600,<sup>31</sup> where Kirkcaldy's salt exports were given as 468 chalders. This was nearly double the amount for Prestonpans, significantly more than Dysart, Anstruther and Pittenweem, and virtually identical to

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<sup>26</sup> Chapter 3, pp. 67-8.

<sup>27</sup> In October 1573, before Culross gave surety to meet certain salt export conditions, Nichol Reid in Leith gave surety that the salt bought in Culross by James Friskin of Leith would not be exported. *R.P.C.*, II, pp. 290

<sup>28</sup> *R.P.C.*, II, pp. 265-6, 293-4. C.A. Whatley has mistakenly listed Kirkcaldy as having 28 rather than 23 pans in the *Scottish Salt Industry*, p. 33.

<sup>29</sup> C.A. Whatley, *Scottish Salt Industry*, p. 37; A.I. Bowman, "Culross Colliery: a Sixteenth-Century Mine", *Industrial Archaeology*, VII (1970).

<sup>30</sup> *R.P.C.*, II, pp. 265-6.

<sup>31</sup> NAS, E.71/28/1, f. 1.

Culross's annual average salt exports in the 1590s. The absence of figures for Kirkcaldy means the North Forth's salt exports are seriously under-recorded. The trends they reveal may, however, still be legitimate.

The salt exports from the North shore of the Forth were briefly customed at Edinburgh in the early 1460s, until a separate custom jurisdiction was created at Dysart in 1463-64. Initially only one customar was responsible for the whole area's salt exports; in reality the salt exports may have been confined to Dysart. By the end of the fifteenth century each individual jurisdiction was permitted to custom salt exports. The fact that none did, except Dysart, is a reflection on their limited salt trade. For almost the first forty years of the sixteenth century, the accounts for Dysart, by far the most important salt exporter, were leased. When they re-emerged in the late 1530s they were roughly on a par with the minuscule customs at Kinghorn and the Pittenweem Group. The North Forth salt customs boomed in the 1570s, and this does not include the expansion in the Narrows of the Forth, especially Culross, which until 1580 was customed in Edinburgh's accounts. Finally, in the 1590s, the salt exports dipped slightly. It should, however, be remembered that Kirkcaldy's substantial salt exports were not included in any of the enrolled custom accounts.

#### (b) South Forth

Edinburgh began customing salt in earnest from 1461. Initially the salt appears to have been exported from both shores of the Forth, until a separate custom jurisdiction was established at Dysart in 1463-64. Edinburgh's customs, thereafter, were confined to the southern shore of the Forth, and in all probability the area around Prestonpans. In the late 1470s salt from this area was shuffled between various different custom jurisdictions, moving from Edinburgh to Haddington in 1477-78 and the newly created jurisdiction at Prestonpans in 1479-80.<sup>32</sup> Salt exports are not recorded in any custom account in Lothian from 1481 to 1486. It may not have been exported: hostile English naval activity in the early part of the decade is likely to have hindered trade. The re-appearance of Lothian salt exports coincides with a shortage of Bay of Biscay salt in the Baltic, which made imports of Scottish salt relatively attractive.<sup>33</sup> Certainly the north Forth salt exports collapsed in the same period. It

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<sup>32</sup> In 1476 Edinburgh customed 40 chalders of salt; in 1477-78 Haddington customed 243 and 140 chalders; and 165 and 160 chalders appeared in the accounts of Prestonpans in 1479-80.

<sup>33</sup> In 1485, due to a shortage of Bay of Biscay salt, its price in Danzig rose six-fold to 40 marks per last. Luneburg salt sold for 38 marks, while Scottish salt was only 22 marks. S.G.E. Lythe, "Economic Life" in J. Brown (ed.), *Scottish Society in the Fifteenth Century* (London, 1977), p. 78.

is debatable if salt exports from Lothian were zero at this time; perhaps they were so small the salt customars simply ceased to render their accounts to the Exchequer.

Salt appeared again in Edinburgh's 1487 account. It belonged to Lord Seton, so it presumably came from his territory around Prestonpans. From 1489-91 John Hepburn, a separate salt customar, rendered his accounts along with Haddington's customars. In 1490, when Hepburn was absent from the Exchequer, the accounts at both Haddington and Edinburgh contain salt. The 1491 entry at Haddington was the last time salt was customed at the burgh for half a century. In the intervening period it reverted to being exclusively customed at Edinburgh. Even in 1529, when 30 chalders of salt were included in Haddington's account, the customars were excused payment since the salt had been customed at Edinburgh. In 1541, 24 chalders of salt were customed at Haddington. These customs did not continue, and in the following year the custom jurisdiction at Prestonpans was resurrected. Edinburgh continued to custom salt, but the level fell heavily. The burgh's annual average salt customs of 185 chalders in the six years before Prestonpans re-appeared fell to less than 20 chalders a year in the decade which followed. Although part of the fall was a result of the "Rough Wooing", Edinburgh's salt customs remained insignificant in the subsequent two decades. There was a huge expansion at Edinburgh in the mid-1570s, which can be attributed to the increase of salt exports from the Narrows of the Forth, especially Culross. Once this area became a separate jurisdiction, Edinburgh's salt customs immediately dropped back to the same levels as in the middle of century. In the 1590s the burgh was customing less than 15 chalders a year.

Prestonpans, apparently, exported next to nothing during the "Rough Wooing".<sup>34</sup> It is difficult to determine their exports for the remainder of the century because the burgh's customs were leased for all but two years after 1545. The burgh's custom accounts rendered to the Exchequer between January 1574 and February 1576 included a substantial 970 chalders of salt. As in other burghs, there may have been a sudden expansion in the early to mid-1570s. This cannot be proved, but it is noteworthy that Prestonpans' customs were leased for only £3 per year from 1568-73, at a time when salt was customed at 4s. per chalder; and following the 1576 account this rent was doubled, although it was still

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<sup>34</sup> The rent in Prestonpans's 1545-54 account was reduced because for the first five years of the account no customs had been collected, since the harbour had been rendered unproductive due to the English invading Haddington, and thereafter remaining in the area.

incredibly small. In the 1590s, under a new leaseholder, the rent was £30, and from 1595, £31 6s. 8d., though this could of course reflect the Crown's ability to secure better terms from the new leaseholder, rather than any expansion in exports. From July 1599 and August 1600 the custom book of small salt exports shows that the burgh customed 264 chalders, a substantial amount but well below the levels at Culross and Kirkcaldy.<sup>35</sup>

The salt customs contained in Edinburgh's accounts in the early 1460s probably came from both sides of the Forth. Thereafter they were largely restricted to produce from the south shore, and especially the area around Prestonpans. The salt from this area was included at various jurisdictions' accounts until a custom jurisdiction was permanently established at Prestonpans in 1542. Unfortunately, the burgh's customs were virtually always leased, making it virtually impossible to assess their exports. In the mid-1570s to 1580, Edinburgh's salt customs expanded impressively, because of the growing salt exports from the Narrows of the Forth, especially Culross. Exactly when this started is not known, but once Culross and its vicinity became a separate jurisdiction the salt customs at Edinburgh collapsed.

### III. SALT EXPORT BANS

In 1525 Parliament banned the export of salt. The ban is likely to have had a greater antiquity, since it stated that the acts banning the exporting and storage of salt were to be enforced.<sup>36</sup> Later decrees claim the ban had been necessary because a great quantity of salt had been exported resulting in an escalation in the domestic price. The act ordered customars not to custom any salt, but in practice, exemptions were permitted. Edinburgh's custom account between March 1524-August 1525 contained 55 chalders of salt (Table 10-1). These were exported either before the 1525 ban, and/or with a licence permitting exemption from any ban. Certainly in March 1525 the Lords of Council granted a man called Hannis a licence to export 40 chalders of salt. In return the Comptroller agreed to import 40 chalders of great salt for the lieges "in all gudlie haist".<sup>37</sup> The Lords of Council in May 1526 reiterated the ban, stating that anyone contravening it was to have their movable

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<sup>35</sup> This was equivalent to £52 16s. customs; the burgh's customs continued to be leased to July 1600 at £31 6s. 8d. NAS, E.71/28/1, f. 3.

<sup>36</sup> *A.P.S.*, II, c. 8, p. 290.

<sup>37</sup> *A.D.C.P.*, p. 216.



goods confiscated. No salt was customed in any account rendered in this year, suggesting no exports whatsoever were permitted. It should, however, be borne in mind that the customs of Dysart, the main salt exporter north of the Forth, were leased for most of the first half of the sixteenth century. In 1527-30 Edinburgh's customed (i.e. legal), salt exports rose, despite the ban being repeated in November 1527 with strict conditions imposed for granting licences. No licence was to be admitted without being presented and considered by the lords, who would only allow exports deemed to be of benefit to the realm. Edinburgh's legal salt exports certainly fell between July 1530-August 1531, yet in October 1531 the decree was repeated because of the "disobedience of diverse persons".<sup>38</sup> In 1535 salt and other goods were prohibited from being sent to England.<sup>39</sup> There may have been political motives behind this, and certainly Englishmen were permitted to buy these goods in Scotland, although it is perhaps noteworthy that there were regulations about price and supply of salt imports at this time. Legal salt exports do not seem to have been harmed by export bans and restrictions; indeed, the South coast of the Forth's salt exports in 1527-42 were considerably higher than in the previous and subsequent 25 years. Illegal shipments may also have been buoyant, as merchants attempted to evade extra impositions. The records, however, make little mention of them- perhaps because smuggling this low cost bulky commodity from the busy and populated Forth area was not a particularly viable operation.

**Table 10-1: Edinburgh's Salt Customs, 1524-34**

<i>Period</i>	<i>Total Chalders</i>	<i>Av. per Month Chalders</i>
Mar 1524-Aug 1525	55	3
Aug 1525-Aug 1526	0	0
Aug 1526-Aug 1527	56	4
Aug 1527-Jul 1528	146.5	13
Jul 1528-Aug 1529	184	14
Aug 1529-Jul 1530	203.5	18
Jul 1530-Aug 1531	85.5	6
Aug 1531-Jul 1532	210	19
Jul 1532-Aug 1533	264.5	20
Aug 1533-Aug 1534	288	25

*Source:* Custom accounts, Appendix 1, p. 409.

<sup>38</sup> *A.D.C.P.*, pp. 242, 271, 364; *A.P.S.*, II, c. 25, p. 346; c. 33, p. 348; c. 43, p. 351.

<sup>39</sup> *A.P.S.*, II, c. 25, p. 346.

Salt customs were tiny from the 1540s into the 1560s, and there are not any references to export bans on salt at the time. In 1558, however, there is a solitary reference to the Queen granting two German merchants licences to export salt.<sup>40</sup> The licence for each chalder cost £1, while customs at the time were only 2s. per chalder. Until 1572 exports were minuscule; Edinburgh and the Pittenweem Group customed 15½ and 28 chalders respectively between 1567-72. Inverkeithing customed 11 chalders in 1565-72, and Dysart, in one of the rare periods when the customs were not leased, customed 48 chalders from 1565 to 1569. Other burghs, notably Prestonpans, were leased in the period. There may have been an illicit trade especially if licences were required, but even if salt smuggling was ten times the level of the legal trade the level of salt exports would still have been negligible.

In April 1573 Parliament stated that the price of small salt had recently risen to a great and exorbitant level, resulting in a strange dearth and novelty, as it was described, which had hitherto never been heard of. Rising exports were clearly seen as the root of the problem. The solution was simply to ban all salt exports for three years. Salt exported by those from Norway or others of “the Eist partis” who imported timber, was excluded from the ban.<sup>41</sup> Unfortunately the custom accounts for 1573 for the main salt exporting burghs have not survived. If the act is to be believed, therefore, salt exports must have risen rapidly as the accounts in 1572 show no signs of any legitimate expansion whatsoever.

Three months after the export ban ships ready to export salt were ordered not to leave until “speciall ordour be takin anent the transporting of the same”.<sup>42</sup> The conditions for salt exports were issued in the middle of August. Salt, it was decreed, could be exported once the lieges and the carriers to markets<sup>43</sup> had bought all the salt they wanted at 8s. per boll from the pan, hence not including transport costs. In addition, for all the salt exported, a suitable amount of bullion had to be imported. For each chalder a merchant had customed, he was to deliver 6 oz. of silver to the Master Coiner within eight days of his return to Scotland; for each oz. so delivered he would be paid 30s. Failure to do so would result in all his silver imports being confiscated. The custumars and the clerks of cocket were ordered

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<sup>40</sup> *E.R.*, XIX, p. 77.

<sup>41</sup> *A.P.S.*, III, c. 3, p. 82. The act, in fact, does not specifically state salt exports were the reason for price rises, although it is clearly implied. Shortly afterwards a resume of the act declared the high prices were caused by the frequent exporting of salt beyond the sea. *R.P.C.*, II, pp. 286-7.

<sup>42</sup> *T.A.*, XII, pp. 354-5.

<sup>43</sup> Later acts show these were the people carrying salt inland or northwards by boat.

not to issue any cockets until merchants gave surety to the General of the Coinhouse that they would deliver the required amount of silver. On the same day a number of pan-masters from Dysart, Kirkcaldy, and Wemyss, who had obviously appealed for the export conditions, and rather later some others from Prestonpans and Musselburgh, gave cautions that they, and those in their respective burghs, would abide by the act. Failure to do so in any point would result in heavy punishments. In October the Privy Council noted that the pan-masters of Culross, Kinneil, and certain others on the north and south of the Forth had still not given their obligation to abide by the conditions. The act banning all salt exports was, therefore, to be applied to them, and those purchasing salt in these burghs were forbidden to pay more than 8s. per boll. Shortly after this threat Culross and Fordell bound themselves to obey the act.<sup>44</sup>

Immediately after the act small amounts of salt were customed.<sup>45</sup> These would have been legal exports, requiring the coiner's approval that surety had been given to import the required bullion. It must have been tempting for the merchant to export more than was contained on the licence and cocket, or even to try to avoid the custom officials completely. Regulating the conditions requiring the lieges to be provided with salt at a set price would be hard, and perhaps impossible, to enforce. It should come as no surprise, therefore, that a number of persons from Kirkcaldy, Dysart, Prestonpans, Culross, and Pittenweem were called before the Lords of Session in May 1574 for contravening the obligations.<sup>46</sup> These abuses persisted, leading the Privy Council to re-issue the outright ban on all salt exports in September 1574. They stated that licences had been granted on condition that the country was supplied at certain prices, but the price conditions had not been observed. This had forced lieges to buy salt at exorbitant and unreasonable prices, and these prices were likely to continue to rise day by day.<sup>47</sup>

There were exemptions to this export ban; salt cargoes exported for timber were

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<sup>44</sup> *R.P.C.*, II, pp. 264-6, 286-7, 290, 293-4, 296. The terms agreed by Culross and Fordell were for the Culross measure, which seems to have been 1½ times larger than the chalders in the earlier legislation. Using the Culross measure, salt was to be sold for 12s. per boll and was to bring in 9 oz. of bullion for each chaldar on the cocket. The other measures were to be sold for 8s. per boll and import 6 oz. of bullion.

<sup>45</sup> Edinburgh customed 1¼ chalders of salt from August 1573 to December 1573 and the Pittenweem Group customed 30 chalders from October 1573 to December 1573.

<sup>46</sup> *T.A.*, XIII, pp. 388-9.

<sup>47</sup> *R.P.C.*, II, pp. 406-7; *T.A.*, XIII, p. 34.

presumably still permitted. Furthermore, in October 1574, the Privy Council gave licences to Robert Paterson, the master of the *Grace of God*, and to William Ker, the master of the *Swallow*, to export six and four chalders of small salt respectively, to Norway. This salt was to be used only for “making of fische”, and these fish had to be returned to Scotland. If contrary winds drove them to other parts, and they were compelled to sell their fish, they were to pay their customs on their arrival in Scotland.<sup>48</sup> The exemptions were not sufficient for the pan-masters, and they were quick to complain about the ban.<sup>49</sup> By the end of December they protested that the ban was of hurt and inconvenience, because they had built more pans and employed extra workers with a view to selling salt abroad. They added that they would not be able to maintain this level of activity if they were restricted to selling only at home, especially at “the saidis small pryces, the present derth of all thingis considerate”, presumably referring to high prices in the wider economy. The Privy Council reached an agreement with the pan-masters of Prestonpans. They could export salt, with a licence subscribed by the Regent under his signet, if each week they sold three bolls from each operating pan in the burgh to a specially appointed person for 10s. per boll. This salt would thereafter be sold to the lieges at 10s. 4d. the boll. This was to be a temporary agreement until the next Parliament, and only applied to Prestonpans,<sup>50</sup> but other burghs promptly agreed similar terms. In the case of Dysart and Kirkcaldy, however, this was done only after their ships had been searched for salt.<sup>51</sup> By the end of January complaints were again being made about the burghs contravening their obligations, namely by exporting more than on their licences and not abiding by the conditions for serving the realm at reasonable prices. To counter this, the Privy Council simply ordered the persons nominated for collecting salt and furnishing the country with it to do their jobs better.<sup>52</sup>

On the 14<sup>th</sup> of March orders were issued to arrest all vessels with salt until order was taken as to whether licensed salt ought to be exported.<sup>53</sup> This, presumably, refers to the

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<sup>48</sup> *R.P.C.*, II, p. 411. The allowance implies that salt customs were not charged as long as the salt was not exported. Surety that the conditions would be obeyed was given by the burgesses of Edinburgh. The salt does not appear in Edinburgh’s particular account; although it would not necessarily be exported from there. Even if it were, the accounts would have listed the names of merchants rather than the masters. In the burgh’s particular account there are entries for the correct quantities but with the wrong names, while William Ker is customed, but for the wrong quantity. NAS, E.71/30/18, f. 40.

<sup>49</sup> *Edin. Recs.*, IV, p. 32.

<sup>50</sup> *R.P.C.*, II, pp. 424-5.

<sup>51</sup> *T.A.*, XIII, pp. 46-7; *R.P.C.*, II, p. 427.

<sup>52</sup> *R.P.C.*, II, pp. 427-8.

<sup>53</sup> *T.A.*, XIII, pp. 55-6.

Parliamentary discussions taking place at the time. The pan-masters and labourers had complained to Parliament that the conditions they agreed to in December 1574 and January 1575 were harmful to them, for they had, after all, been reached under threat of a complete export ban. They claimed they could not sell salt at such low prices if they did not have the freedom to export the remaining salt, particularly given the reasonable prices being offered abroad. To further emphasise their case they presented their expense accounts showing increased servants' fees and wages, and high prices for coal, iron and the horsemeat used to coagulate the impurities. Parliament, however, did not offer them any concessions. Instead, six bolls, rather than three, from each operating pan were to be sold weekly to the appointed official for 10s. 8d. (an increase of 8d.), and this salt was then to be sold for 11s. per boll. No salt was to be exported except under licence from the regent, and it could be exported only from those places that agreed to abide by the conditions. Further order was to be taken the following year.<sup>54</sup> Orders were issued desiring the pan-masters to appear before the Privy Council to agree to the act.<sup>55</sup> Prestonpans, Kirkcaldy, and Dysart dutifully and quickly appeared, agreed to abide by the conditions and gave cautions to that effect. Further letters had to be issued to the other salt-producing burghs, namely Granton, Bo'ness, Culross, Fordell, Crombie, Wemyss, and Pittenweem, commanding them not to sell any of their salt for export until they agreed to abide by the act. It was further ordered that no one was to buy and export any salt made at these pans, even if the exporters had licences.<sup>56</sup>

These burghs, presumably, must have agreed terms and given surety to abide by them. References to supplying the home market and exporting salt disappear from the legislation. Exports of salt, in impressive quantities, appear in their custom accounts from 1575. In fact, there may have been a slackening in salt exporting conditions, and the Crown seems to have been willing to allow it merely on the purchase of a licence. A supplication by the Convention of Royal Burghs in 1579 complaining about searchers uplifting an extraordinary duty of 10s. for each chalder of salt exported was not considered by Parliament until 1583. Parliament noted that since the export bans, the price of salt had fallen, so that searchers had been instructed to allow salt to be exported under the king's licence. Unfortunately, certain searchers and other private persons had been collecting 6s. 8d., 5s. 4d., or 3s. 4d. for each chalder exported, for themselves. It was decreed, therefore,

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<sup>54</sup> *A.P.S.*, III, pp. 93-4.

<sup>55</sup> *R.P.C.*, II, p. 439; *T.A.*, XIII, p. 56.

<sup>56</sup> *R.P.C.*, II, pp. 442-3; *T.A.*, XIII, p. 57.



that anyone could obtain a licence for 3s. 4d. per chalder, in addition to paying great customs, and all previous gifts of searching and collecting the salt duty were revoked, with John Chisholme appointed collector instead. No customars or clerks of cocket were to receive, custom or grant cocket for salt until they had seen the collector's receipt.<sup>57</sup> This system continued, initially under Chisholme, until the late 1590s when Edward Johnstoun, burghess of Edinburgh, obtained the office.<sup>58</sup> There is even a surviving account of 1599-1600, presumably for these licences.<sup>59</sup> Salt, therefore, could be freely exported by anyone after a small payment of 3s. 4d. per chalder for a licence, and customs of 4s. per chalder.<sup>60</sup> This was hardly excessive, considering that pan-masters were reluctant to sell their salt domestically in the mid-1570s when the price was fixed at over £8 per chalder.

The initial salt export bans in the mid-1520s and 1570s came at a time when salt customs were apparently non-existent, although the accounts prior to both periods are not complete. In both waves of legislation, legal exports continued to rise, despite increasingly stringent conditions. Evidently the Crown was willing to licence exports so long as licences were purchased. Illegal exports may have risen because of the bans and licences, but it is not self evident that they were particularly substantial. The ability to evade custom officials and prying eyes for this bulky and low value commodity in the busy Forth must have been limited. Certainly the main salt exporting burghs took speedy action to ensure they were not subject to complete export bans. The licences from the early 1580s, and probably before, were not excessive.

## V. CONCLUSION

Salt exports were occasionally banned, though they were normally permitted with the purchase of a licence. Since the bans and/or strict conditions and requirements were rarely

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<sup>57</sup> *R.C.R.B.*, I, pp. 75-6; *A.P.S.*, III, pp. 638-40.

<sup>58</sup> *R.C.R.B.*, I, p. 241; *R.P.C.*, III, p. 193; V, pp. 512-3.

<sup>59</sup> This document, entitled the Custom Book of the Small Salt Transported Furth of the Realm, 1599-1600, is rather curious in that it covers a number of different burghs, although Culross is not included. In it, each chalder was charged 3s. 4d., the same rate as the collectors and searchers of salt were instructed to uplift two decades earlier. It seems reasonable to assume, therefore, that the account was for salt export licences. NAS, E.71/28/1.

<sup>60</sup> Admittedly, in 1585, salt and other goods were prohibited from being exported to England. *A.P.S.*, III, 426b.

imposed for long periods they are unlikely to have stimulated large-scale illicit exports. Moreover the sheer bulk of the commodity must have limited the smuggling potential. There are, however, serious difficulties associated with using the salt custom figures as evidence of exports. Changes in the salt custom jurisdictions cause problems for analysis of salt export locations, though they are not insurmountable. Considerably more problematic is the fact a large number of accounts for the most important salt exporting jurisdictions are not available. Dysart's customs were leased almost continuously in the first third of the sixteenth century; there was a similar situation for Prestonpans in the second half of the century; and the customs of Kirkcaldy belonged to the Abbot of Dunfermline. These deficiencies have to be borne in mind when the salt customs are examined.

## CHAPTER 11

### COAL

Coal first appeared in the custom accounts in 1488, when 112 chalders were customed at Edinburgh. In the next two years the burgh customed a further 147 chalders. The scale tends to suggest this was the first time coal was customed, rather than its being a new export trade; perhaps an expansion in exports had alerted the Crown to the potential of customing it. If this represents an export boom, it must have been the tail end, for receipts in the subsequent quarter of a century were dismal, and only a few chalders were occasionally recorded in Edinburgh's accounts. There is some evidence that small quantities of coal may not have appeared in the custom accounts at this time.<sup>1</sup> The fact that between July 1492 and January 1512 the coal customs were less than those recorded in 1488-91, however, is surely a reflection on trade.

In the late 1510s Edinburgh's coal customs grew. They increased in each subsequent decade, except during the war-disrupted 1540s, until the 1590s, when they fell slightly. Coal customs first appeared elsewhere when a small quantity was customed at Ayr in 1518, and in the accounts for Kinghorn and Burntisland, and Irvine in 1542. Following the "Rough Wooing" the number of burghs customing coal expanded, and, as in Edinburgh, the quantity of coal they customed increased until the final decade of the century. It remains to be seen, however, how accurate these custom figures are as evidence of coal exports.

#### I. CUSTOM DUTIES AND TYPE OF COAL EXPORTS

In the sixteenth century Scotland exported mainly two types of coal, great and smiddy coal. Great (or burn) coal was used for domestic heating and smiddy (or smith's) coal was generally used for industrial purposes. Initially the custom accounts made no distinction

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<sup>1</sup> Edinburgh's 1513 entry book contained 12 chalders of coal, at least half of which belonged to the king; there is no coal in the burgh's corresponding enrolled account. NAS, E.71/29/3, ff. 2v, 12.

between them, and all coal exports were customed at 16d. per chalder (i.e. 1d. per boll).<sup>2</sup> From the mid-1560s and for the remainder of the century, however, great coal exports were banned, and consequently it was not listed in the custom accounts. The only exception was the small amounts of great coal, customed at £1 per chalder, which appear in Culross's custom accounts, no doubt exported with a special dispensation.

The export of smiddy coal, however, was permitted. All the coal in the custom accounts from the mid-1560s, therefore, apart from the great coal at Culross, was supposedly smiddy coal. Certainly the custom accounts clearly state it was smiddy coal, especially after each new prohibition on great coal exports. The customs remained at 16d. per chalder, until Edinburgh began to custom coal at 40d. per chalder from November 1574-October 1575, and there was a further increase to 48d. on the 18<sup>th</sup> of August 1581. Culross, and possibly Burntisland, customed coal at 40d. before the duty was increased to 48d. In other burghs there was a direct move, at various times in the late 1570s, from 16d. to 48d. per chalder. The piecemeal introduction is a reflection on the difficulty in imposing duties. About this time, after all, the Exchequer had to command that lists of custom duties and measures should be displayed for everyone's convenience. For the remainder of the century, smiddy coal continued to be customed at 48d. per chalder, the same rate as was paid on a chalder of salt, despite the fact that six to eight chalders of coal were being used to make it.<sup>3</sup>

### Coal as Ballast Cargoes?

In 1563 an act banning all coal exports noted that coal was "now becommen the commoun balast of emptie schippis".<sup>4</sup> An expansion in coal customs certainly occurred at this time, but it could be that coal in ballast cargoes, as in later centuries, was exempt from custom duties.<sup>5</sup> If this was the case, the custom figures could seriously under-record the level of coal exports. While there is nothing to suggest such an exemption existed at the time,<sup>6</sup> the possibility

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<sup>2</sup> The first time coal was customed at Irvine, the customar charged 1d. per load, which, unless it was over or under charged, means a load was equivalent to a boll. Irvine 1542. On other occasions the accounts record barrels rather than bolls. They were customed at the same rate, suggesting either they were the same quantity, or that the clerks of the Exchequer confused the identical abbreviations for the two measures. Coal exports, like salt, were generally customed to the nearest half chalder.

<sup>3</sup> C.A. Whatley, *Scottish Salt Industry, 1570-1850* (Aberdeen, 1987), p. 6.

<sup>4</sup> *A.P.S.*, II, c. 22, p. 543.

<sup>5</sup> T.C. Smout, *Scottish Trade on the Eve of Union, 1660-1707* (Edinburgh, 1963), p. 37.

<sup>6</sup> Comparing the customed cargoes in ships leaving Scotland with their entries in foreign markets would give an imprecise indication of uncustomed coal exports. Even if unrecorded coal did appear, this would not necessarily imply it was exempt from duty. It might have been smuggled, or loaded in a different port or even a different country. A number of Scottish burghs and towns that exported coal do not appear in the custom records. They would have been incorporated in existing jurisdictions, and so should not be viewed as evidence of coal being exported freely as ballast.

should be borne in mind. Whether or not ballast cargoes were customed, it is unlikely that such an exemption was either introduced or annulled in the second half of the sixteenth century, for there is no reference to it in the fairly complete legislative sources. The coal customs, therefore, even if they do not include ballast, which is unlikely, would remain good indicators of the coal export trends.

## II. COAL EXPORT BANS

In the second half of the sixteenth century numerous bans and restrictions were imposed on coal exports. This would obviously limit the legal coal exports contained in the custom accounts, and presumably stimulated illegal sales. These bans should, therefore, be examined in some detail.

In 1563 the rising price and shortage of coal was attributed to natives and foreigners alike continually exporting a great quantity. Consequently, it was decreed that all coal exports were to be banned, except for coal needed for the voyage.<sup>7</sup> The coal export ban, like those imposed on corn and hides at the same time, was only a partial success. In Edinburgh, at least, coal customs slumped, but it continued to be legally customed, presumably with the purchase of a licence.<sup>8</sup> In July 1565 the Privy Council permitted the export of industrial smiddy coal with a licence, as it was felt this would not hurt the realm.<sup>9</sup> This presumably gave more legitimacy to the existing practice of allowing some coal exports despite the ban. Importantly, however, from this time, exports were restricted to smiddy coal, and great coal remained banned.

In 1573 the bans on forbidden goods exports were ordered to be put into execution. While no goods were specifically named it can be assumed that great coal was among them. Crown officials certainly made strenuous efforts to prevent illegal coal exports. The Treasurer's account in 1571-74 contains fines on six people from Dysart and Kirkcaldy, who exported coal contrary to the act of Parliament and the other laws. In October 1573 two ships

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<sup>7</sup> *A.P.S.*, II, c. 22, p. 543.

<sup>8</sup> Edinburgh customed 65 chalders of coal per month in November 1561-February 1563. This dropped to 16 chalders per month in the period to March 1565, and the amount stayed the same until April 1566.

<sup>9</sup> *R.P.C.*, I, p. 340. In 1565 Queen Mary gave a licence to Patrick Hakket of Pitfirrane near Dunfermline, "to sell the smydde coal, and transport the same out of the Kingdom". E. Henderson, *The Annals of Dunfermline and Vicinity* (Glasgow, 1879), p. 213.



at Burntisland, suspected of containing coal, were to be searched. At the same time a number of summonses were sent to coal exporters, and Walter Scot in Dysart gave surety that the coal loaded into William Hogg of Dysart's crayer would not be exported. In October 1574 a somewhat different approach was adopted. Prestonpans, the towns and havens on the Fife coast, and the havens of Torrie, Airth, Culross, and elsewhere, were ordered to arrest all vessels containing coal "until a trial was taken" as to whether the coal was to be escheat or not.<sup>10</sup> This probably depended on whether the cargoes were found to be great or smiddy coal. In 1579 Parliament ratified an act made in Queen Mary's reign banning coal exports,<sup>11</sup> presumably a reference to the outright ban on all coal exports passed in 1563. A unique scenario, however, was that of Culross, which, from 1580 and for the remainder of the century, legally exported and customed great coal. The Privy Council's 1565 decree, permitting smiddy coal exports, evidently remained in place.

In 1586 it was noted that great coal had been exported under the pretence that it was smiddy coal. The negligence and oversight of royal officials had meant that no action had been taken against the contraveners. It was decreed that no one was to export coal, or other forbidden goods.<sup>12</sup> The following year, however, the Convention of Royal Burghs, in a period of diminishing stocks and rising prices, felt it necessary to request the ratification of the old acts prohibiting coal exports.<sup>13</sup> Preventing great coal exports became a prime concern of the Convention, especially from the mid-1590s. In 1594 the Convention complained about, and took action to deal with, coal shortages. Provosts and bailies in each burgh were ordered to make certain the acts banning great coal exports were enforced, and to ensure that freemen did not purchase export licences. In addition, for the "better restraynt of the said coillis" a duty of 24 stuivers from each sack of coal arriving in the Low Countries was to be collected by the Conservator, and any illegal shipments were to be arrested. This was a twin operation, aimed at preventing illegal shipments while pushing up the costs of legal great coal exports. The success of the operation is debatable. The great coal customs at Culross were unaffected, while Dysart immediately claimed the resolution ought not to prejudice their rights because their overlord, Lord Sinclair, held a licence from the King.<sup>14</sup> It is interesting that Dysart rarely customed any coal at this time; perhaps this licence permitted total freedom from customs.

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<sup>10</sup> *T.A.*, XII, pp. 267-8, 364-5; III, p. 37. *R.P.C.*, II, p. 290.

<sup>11</sup> *A.P.S.*, III, c. 28, p. 147.

<sup>12</sup> *A.P.S.*, III, p. 426; *R.P.C.*, IV, pp. 104, 116.

<sup>13</sup> *R.C.R.B.*, I, p. 240.

<sup>14</sup> *R.C.R.B.*, I, pp. 445-6.

The Convention repeated their demands in 1595, and in addition each burgh was required to report their diligence (or success) in preventing great coal exports. Culross and Dysart failed to comply and were promptly fined £100.<sup>15</sup> Edinburgh, on the other hand, acted vigorously to prevent coal exports. At the start of 1595 Edinburgh's burgh authorities arrested a ship at Cockenzie loaded with wheat, coal, and tallow. In November David Qyhte in Leith was appointed to search and ensure that no great coal was exported. The following month a proclamation was issued banning the export of great coal and other goods.<sup>16</sup> With its large population and corresponding fuel needs, Edinburgh had more reason to prevent coal exports than smaller burghs, which participated in and profited from the trade.

In 1597, after successful lobbying by the Convention, Parliament confirmed the bans on great coal exports.<sup>17</sup> Culross's legal great coal customs fell heavily, but they continued up to 1599 at least. The Convention, however, was more concerned with the illegal shipments. In 1598 the burghs were again ordered to report their diligence in stopping exports, and letters were raised against Preston, Airth,<sup>18</sup> Weymss, Bo'ness and all others for exporting great coal. In the following year Dysart was fined for lack of diligence in restraining and punishing their "nichtbouris transgresseouris", a duty in which they continually failed.<sup>19</sup>

### III. CONCLUSION

The coal customs expanded at an impressive rate in the second half of the sixteenth century. This represents a dramatic growth in smiddy coal exports. The volume of exports may have been even greater in the unlikely situation that ballast cargoes went custom-free, as in later centuries. There appears to have been a flourishing, albeit illegal, trade in great coal. After 1565 the export of great coal was always prohibited, and it was recorded only in Culross's accounts. That bans were regularly imposed, while numerous burghs and ports were cited for

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<sup>15</sup> *R.C.R.B.*, I, pp. 464, 477-8.

<sup>16</sup> *Edin. Recs.*, V, pp. 127, 145, 165.

<sup>17</sup> *R.C.R.B.*, I, pp. 483, 493. *A.P.S.*, IV, p. 121; c. 24, p. 136. *R.P.C.*, V, pp. 385-6.

<sup>18</sup> In May 1596, Sir Alexander Bruce of Airth claimed he had recently spent such great sums on his coal mines that they could not be sustained by domestic coal sales alone. This plea, and his payment of £40, was favourably received by the Crown and a special licence to export coal was issued. It was not described as being for great coal, but presumably was. Certainly, less than twenty years later, the mine was shipping great coal to England. W.B. Armstrong, "Two Papers Relating to the Export of Coals from Scotland, 1596 and 1614", *Proceedings of the Society of Antiquaries of Scotland*, New Series, XII (1889-90).

<sup>19</sup> *R.C.R.B.*, II, pp. 28, 45, 77.

flouting them, and occasionally transgressors were caught, suggests the bans were less than successful. Certainly, the legal smiddy coal trade made detecting those illegal shipments all the more difficult and it is impossible to establish the extent of great coal exports. It should be noted that Edinburgh, who had an active interest in preventing great coal exports, certainly complied with the acts, and may have even lobbied for them. The other towns and ports in the Forth had less incentive and Dysart, Weymss Prestonpans, Airth, Bo'ness, and Culross were all cited for exporting great coal. The possibility of custom free ballast cargoes and the illegality of great coal exports must be borne in mind when examination is made into the impressive rise in smiddy coal customs.

## CHAPTER 12

### LEAD AND LEAD ORE

On the 7<sup>th</sup> of May 1528, Nigel Element sent 13 stone of lead from Edinburgh *versus* Denmark, and twelve days later Walter Bruce sent a further 3 stone.<sup>1</sup> This lead was subsequently listed in Edinburgh's enrolled account, the first lead exports to appear in the Scottish custom accounts.<sup>2</sup> Thereafter, and especially in the last four decades of the century, lead exports appear frequently. The nature of these lead exports, however, is complex, and, unlike other metals in the accounts, they cannot be assumed to be entirely re-exports. There are, moreover, numerous references to exports of lead ore, which do not appear at all in the custom accounts. To understand the sixteenth century lead custom figures, and their limitations, there has to be an examination of the Scottish lead and lead mining industries.

#### I. LEAD EXPORTS, 1525-1600

Lead mining has a relatively long, if undistinguished, history in Scotland.<sup>3</sup> Lead was mined primarily in order to yield its meagre silver content. The prevailing technology in Scotland for the cupellation of argentiferous lead, however, resulted in unworkable and hence

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<sup>1</sup> NAS, E.71/29/4, ff. 10, 11.

<sup>2</sup> Imports of lead from England appear in the custom accounts during the reigns of James III and James IV. Edinburgh 1473, 1487, 1498, Montrose 1508, Dysart 1502. English lead imports continued; for instance, in 1538-39, eight fidders of lead were bought from Hull for the King. After 1513, however, the custom accounts cease to list the English imports individually. *Accounts of the Master of Works*, edited by H.M. Paton *et al.* (Edinburgh, 2 vols., 1957-82), I, p. 261.

<sup>3</sup> Early references to lead include the monks of Newbattle having the grant of a mine in 1239; the carriage of lead from Crawford Muir to Rutherglen in 1264; and in 1466 a dispute concerning 1,000 stone of lead ore mined in Friar's Moor. R.W. Cochrane-Partrik, *Early Records Relating to Mining in Scotland* (Edinburgh, 1878), p. xxxiv. Contemporaries wrote about the extent of the deposits, but said little about the exploitation of them. At the end of the fourteenth century, John of Fordun claimed there was a good deal of lead in Scotland, as well as iron and nearly all metals. In the early sixteenth century Hector Boece wrote that Scotland had "riche mines of gold, silver, tinne, bras, copper, and quick-silver". In 1545 Nicander Nucius described mines that contained "very much silver, and of tin, and of what is called white lead, called also stagon (stanno); and of common lead". *Scotland Before 1700 from Contemporary Documents*, edited by P. Hume Brown (Edinburgh, 1893), pp. 11, 64, 72, 87, 245. *Early Travellers in Scotland*, edited by P. Hume Brown (Edinburgh, 1973), p. 61.

worthless “sterile” (i.e. desilvered) lead.<sup>4</sup> This would not have been exported. We can assume the lead that does appear in the custom accounts is either “fertile” (i.e. silver bearing) lead, re-exports, or lead removed from monastic buildings.

In 1528, 16 stone of lead was shipped *versus* Denmark,<sup>5</sup> and three years later a number of Germans exported 14 fidders of lead, equivalent to about 1,750 stone (a fiddler has been considered to weigh 125 stone).<sup>6</sup> Presumably these were exports of smelted argentiferous lead associated with central European entrepreneurs’ fleeting interest in Scotland during the great silver crisis of 1525-1526/1527-1530. Joachim Höchstetter and his partners, for instance, received a grant in 1526 to develop the Scottish mines, refine the metal in Germany, and produce coins. This venture came to nothing. By August 1531 a number of Hamburg merchants had received the right to mine lead, copper, and tin, and export the unsold residue. These, presumably, are the same Germans who exported lead in 1531, and the fact that the transaction was free from customs may represent an initial period of grace, for their grant stipulated export customs were to be paid. This gesture, however, had little impact and exports of Scottish smelted lead disappeared as rapidly as they had emerged.<sup>7</sup>

Lead exports re-appear in the custom accounts in the 1540s and early 1550s; Edinburgh’s custom account, from September 1546 to August 1550, contained around 35 fidders, roughly 8½ fidders per year.<sup>8</sup> In the two years following, their exports were

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<sup>4</sup> I. Blanchard, *International Lead Production and Trade in the “Age of the Saigerprozess” 1460-1560* (Stuttgart, 1995), pp. 195, 220. For production of lead for its silver content, see James IV’s efforts to establish the lead mines at Crawford Muir. *T.A.*, IV, pp. 273-4, 375-6.

<sup>5</sup> NAS, E.71/29/4, ff. 10, 11.

<sup>6</sup> In 1531-32 the Master of Works purchased 11 fidders of lead, each containing 126 stone. A few years later, in two separate transactions, the fidders can be calculated to weigh exactly 120 stone, and in 1538-39 a fiddler was equal to 126.67 stones. *Accounts of the Master of Works*, I, pp. 73, 189, 194, 261. In the late sixteenth century Sir John Skene stated a fiddler of lead contained nearly 6 score 8 stone, and Alexander Hunter, in the early seventeenth century, listed a fiddler as being 126 stone of 2,000 lbs. J. Skene, *De Verborum Significatione* (London, 1641), p. 149; A. Hunter, *A Treatise of Weights, Mets and Measures of Scotland* (Edinburgh, 1624; reprinted Amsterdam, 1974), p. 3. The figure of 2,000 lbs. is also given in the 1612 book of rates and the 1661 ABC of Bullion. *Halyburton’s Ledger*, p. 338; *A.P.S.*, VII, c. 272, pp. 251-4. The 1655 Excise on Manufactures also stated that a “fother” of lead contained 2,000 lbs., although it added that each hundred lbs. contained 104 Scots lbs. and 112 English lbs.; thus it really contained 2,080 Scots lbs., or 2,240 English lbs. *A.P.S.*, VI (part II), pp. 827-8. A fiddler, therefore, can be assumed to weigh around 125 stone.

<sup>7</sup> *A.P.S.*, II, p. 310b; *R.M.S.*, III, nos. 492, 498. *A.D.C.P.*, pp. 360-1. M. B. Donald, *Elizabethan Copper; The History of the Company of Mines Royal, 1568-1605* (London, 1955), p. 84. I. Blanchard, *International Lead Production...*, p. 220.

<sup>8</sup> A large number of entries for lead in the custom accounts only list monetary customs. For these and later calculations it has been assumed that a fiddler was customed at £3 as in Edinburgh 1598, Dysart 1595, Kinghorn 1597, CAP 1595, 1597, and in the 1612 Book of Rates (*Halyburton’s Ledger*, p. 338).



insignificant and thereafter disappeared entirely.<sup>9</sup> Thomas Gresham's agent at Middleburgh was in no doubt about the origin of this lead, declaring there were "small shipments by troublesome Scots, who by the 1550s acquired the habits of their southern neighbours, pillaging ecclesiastical foundations".<sup>10</sup> It is hard to imagine removal in such a legal, organised and systematic manner as in England, but it certainly occurred. In December 1546, for instance, the Treasurer paid for the carriage of 60 stone of lead "gotten of the rufe of the gret hall" of an unspecified Abbey, to Leith and thence to St Andrews.<sup>11</sup> More importantly, the 1540s were a period of warfare, during which the English were said to have left most of the abbeys south of the Forth in ruins. On at least one occasion, they removed lead from the rooftop of Holyrood Abbey along with the great bells, and this may have been a fairly common and profitable practice.<sup>12</sup> English acquisitions of lead from Scottish abbeys would, of course, not appear in the Scottish customs accounts. The ruined or partially ruined abbeys, deserted by the monks, however, must have provided ample opportunity for Scots wishing to secure their own lead supplies, especially if the government of the day was pre-occupied with more important matters. Evidently, as the agent's complaint indicates, lead pilfered from monastic buildings was exported, although the extent of the trade, as revealed in the custom accounts at least, was minuscule. Some of the lead in the custom accounts could be re-exports, but the high price of lead in Europe at the time would make a re-export trade via Scotland for this bulky commodity highly unlikely.<sup>13</sup> Certainly the enormous magnitude of lead exports, compared with other re-exported metals, suggests that it was not primarily a re-export trade at this time. The emergence of lead exports, 1546-50, can be attributed to monastic lead sales, while re-exports may or may not have accounted for a small share.

The European commercial recovery in the late 1550s encouraged lead exports.

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In Edinburgh in 1531, 14 fidders were customed at £40 (i.e. £2 17s. 2d. per fiddler). There are two entries where the customs per stone are listed. These were 4½d. and 4d. per stone in Edinburgh 1528, and Dumfries 1579, respectively (i.e. £2 6s. 10½d. and £2 1s. 8d. if a fiddler weighed 125 stone). The only significant anomaly was a fiddler customed at £1 6s. 8d., at Kirkcaldy in 1593; perhaps this should really read half a fiddler.

<sup>9</sup> Edinburgh customed one fiddler in August 1550-September 1551, and ¼ fiddler in September 1551-October 1552. There was also a minuscule quantity, 0.07 fiddler, at Prestonpans in July 1542-March 1545.

<sup>10</sup> I. Blanchard, *International Lead Production...*, p. 175.

<sup>11</sup> *T.A.*, IX, p. 44.

<sup>12</sup> J. Jamieson, *Bell the Cat; or, Who Destroyed the Scottish Abbeys* (Stirling, 1902), pp. 50, 52.

<sup>13</sup> There could have been a re-export trade in prized lead. In January 1549 William Hume captured ships with lead cargoes which he took to Burntisland, and in April Hannis Fairtankis brought in a prize laden with lead and tin. *T.A.*, IX, pp. 276-7, 303. English lead going through Scotland, initially to avoid Gresham's monopoly and later the outright export ban, can be dismissed. Scottish lead exports, after all, peaked in 1546-50, a period of open warfare with England, before disappearing entirely.

Renewed export embargoes quickly halted those of England. These restrictions did not apply to Scotland, and lead exports boomed at Edinburgh and, for the first time, Dundee, before largely disappearing after 1561 (Table 12-1), curtailed by the renewal of commercial crisis.<sup>14</sup>

**Table 12-1: Lead Exports, 1558-72**

Edinburgh			Dundee		
<i>Period</i>	<i>Fidders<sup>1</sup></i>	<i>Av. per Year</i>	<i>Period</i>	<i>Fidders<sup>1</sup></i>	<i>Av. per Year</i>
Oct 1558-Sep 1559	0.5	0.51	Aug 1558-Sep 1559	0	0
Sep 1559-Jan 1561	8.31	6.18	Sep 1559-Oct 1560	4 <sup>2</sup>	3.66
Jan 1561-Nov 1561	7.32	9.68	Oct 1560-Oct 1561	8.89 <sup>3</sup>	9.35
Nov 1561-Feb 1563	0.79	0.63	Oct 1561-Oct 1564	0	0
Feb 1563-Nov 1565	0	0	Jan 1565-Oct 1565	0.17	0.21
Nov 1565-Feb 1567	0	0	Oct 1565-Sep 1566	0.07	0.08
Aug 1567-Aug 1572	6.85 <sup>3</sup>	1.37	Sep 1566-Oct 1570	-	-
			Oct 1570-Jul 1572	0	0

<sup>1</sup> The custom duty for a fiddler is assumed to be £3, see note 8 on pp. 239-40.

<sup>2</sup> Lead and "succ".

<sup>3</sup> Lead and bell metal.

Source: Custom accounts, Appendix 1, pp. 388, 413.

The exports in this period can again be assumed to be monastic lead, the supply of which multiplied as the Reformation flourished.<sup>15</sup> Presbyterian historians have tended to play down the damage done to the church buildings during the Reformation, preferring instead to blame the ruin on successive English invasions, and neglect both before and after 1560. In 1560 the First General Assembly enacted that "no injury be done to glass or iron works in kirks, and that the cathedrals, if used for divine service, should be carefully maintained", a provident measure for an impecunious reformed church in need of buildings. Yet even the fact that a prohibition on damage to the fabric of the buildings as opposed to the "idols and relics" was enacted suggests injury had already been inflicted. There is certainly evidence of damage to some buildings, for example to the Blackfriars kirk in Edinburgh, while in 1560 the barons of Mearns were said to have stripped the lead from Aberdeen Cathedral and carried off the bells.<sup>16</sup> Moreover, the removal of lead from monastic buildings still occurred

<sup>14</sup> For European trends see I. Blanchard, *International Lead Production...*, p. 313.

<sup>15</sup> For the theft of lead from Melrose Abbey in 1558 see *Selections from the Records of the Regality of Melrose*, edited by C.S. Romanes (Edinburgh: Scottish History Society, 3 vols. 1914-17), III, p. 158. Bell metal appears occasionally in the custom accounts with lead. It can be assumed to refer to the export of monastic bells. Dundee 1561, Edinburgh 1567-72, 1576.

<sup>16</sup> J. Jamieson, *Bell the Cat*, pp. 203, 252, 341. Modern analysis is clearly influenced by this Presbyterian perspective, although for a more balanced view see R. Fawcett, *Scottish Medieval Churches* (Edinburgh, 1985), p. 62, and the same author's *Scottish Abbeys and Priories* (London, 1994), pp. 120-1; G. Donaldson, *Scotland Church and Nation through Sixteen Centuries* (Edinburgh, 1972), p. 64; D. E. Easson, *Medieval Religious Houses: Scotland* (London, 1957), pp. xi-xii.

even after the General Assembly's prohibition. In 1568, the Privy Council noted that a great part of the lead on the cathedral kirks of Aberdeen and Elgin had been stolen and taken away. These actions, they added, did nothing for the commonweal. The council, therefore, licensed two Edinburgh burgesses to remove and transport the lead; the proceeds were to be used to pay soldiers.<sup>17</sup> There may have been other official licences to remove lead. In addition illicit pilfering occurred. In 1570, for instance, there were references to lead being removed from the kirk and abbey of Melrose. Apparently at least some of this lead was intended to be sent to Leith for export.<sup>18</sup> These examples certainly coincide with lead exports appearing at Edinburgh. There may also have been some re-exports, but the lead exports can be viewed primarily as monastic lead.

Between 1573 and 1582 lead exports were negligible, presumably in response to adverse market conditions and the drying up of easy supplies of monastic lead. The lead exports in the custom accounts from 1573 until the end of the century were of roughly the same magnitude and experienced similar patterns as copper and iron re-exports. The lead may also have been re-exported. In the 1590s lead exports grew considerably, and the Fife ports also began to export small quantities. Monastic lead was unlikely to have still been an easily exploitable source, making its export *en masse* unlikely. The limited success of the copper and lead refining industries by 1600 meant their products were unlikely to have been exported on any great scale.<sup>19</sup> The hugely increased lead customs can thus be assumed to be re-exports, an area of trade that was booming in the 1590s. Significantly, the 1611-14 Export Survey noted that 800 lbs. of lead was re-exported per annum.<sup>20</sup>

The Scottish lead exports were an insignificant component of Scottish exports and were negligible in the context of the European lead trade. Yet lead customs are of interest and should be treated with care. There were exports of Scottish smelted lead, re-exports, and even monastic lead. Admittedly, the last would have originally been imported years beforehand, but it can scarcely be considered a re-export. Basic guesswork is necessary to

<sup>17</sup> *R.P.C.*, I, pp. 608-10.

<sup>18</sup> E.P. Dennison and R. Coleman, *Historic Melrose: the Archaeological Implications of Development* (Edinburgh: Scottish Burgh Survey, 1998), p. 34. I am indebted to Dr Dennison for drawing this to my attention. In the early 1560s Lewyr Smith, from Hamburg, purchased lead from the Earl of Huntly. It has been speculated, the lead came from cloister of the Friars' church at Inverness. *Records of Inverness, Burgh Court Books, 1556-86*, edited by W. Mackay and H.C. Boyd (Aberdeen: New Spalding Club, vol. 38, 1911), p. lxxxi.

<sup>19</sup> In 1597 and 1600 refined lead produced at Crawford Muir was stolen while being transported to Leith, though production or export was unlikely to be great. Lead ore was also pilfered at the same time. *R.P.C.*, V, pp. 414-5; VI, p. 101.

<sup>20</sup> Appendix 11, p. 814.

establish which in any given period was the more likely or dominant export. What the custom accounts do not record, however, is the more significant trade in Scottish lead ore.

## II. LEAD ORE

Evidence of relatively large scale Scottish lead ore exports emerge only in the early 1560s. These, clearly, were argentiferous ores. The Treasurer, after all, initially complained that exports of lead ores and other metals were damaging to the realm and the King's Coiner. The Crown held the right of pre-emption of all the gold and silver produced (which was to be paid to the mint, part of the Treasurer's office), and this could be evaded if the precious metal bearing ores were exported.<sup>21</sup> The Treasurer's concerns were alleviated once the leases to mine and export lead ore stipulated that fine silver was to be delivered to the mint in proportion to the lead ore exported. In January 1563 it was agreed that for each 1,200 stone of lead ore exported to Flanders or "utheris partis beyond sey" by John Achisone and John Aslowane, they were to deliver 45 oz. of silver to the mint. This was a new condition to their existing contract to mine and export 24,000 stone of lead ore from Glengonnar and Wanlock.<sup>22</sup> The Crown, therefore, could expect to receive at the very least half of the silver obtained from the low-grade silver-lead ore.<sup>23</sup>

In 1565 Achisone and Aslowane's lease was terminated after the Earl of Athol reported they had exported more lead ore than their contract permitted.<sup>24</sup> Athol thereby secured the lease of the mines for himself; evidently the rights were lucrative enough to fight over. The same terms applied except, sensibly, there was no upper limit to the quantity of ore

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<sup>21</sup> In October 1560, the charter to John Gibson permitted the export of 24,000 stone of lead ore without payment of any custom or exaction. The brief reference makes no mention of the silver obtained from the ore. Presumably it was intended to be brought back into the realm, but this would be easy to evade. The Treasurer, therefore, acted to protect the Crown's right to pre-emption. In July 1561 he ordered that Robert Waus's ship, laden with lead ore at Leith and destined for Flushing, be arrested and demanded that those with licences to export lead ore should appear before the Lords and Council and prove their rights. Four similar charges were made in the following year and a half. *T.A.*, XI, pp. 58-9, 63, 71, 169-70, 235, 243. *R.P.C.*, I, pp. 433-6.

<sup>22</sup> They later claimed they held this right by virtue of the October 1560 grant to John Gibson which had permitted 24,000 stone of lead ore to be mined and exported. *R.P.C.*, I, pp. 232, 433-6.

<sup>23</sup> I am indebted to Professor I. Blanchard for this calculation. It has been assumed the lead ore contained 12. oz of silver per ton.

<sup>24</sup> Aslowane and Achesoun claimed they were forcibly and illegally removed from the mines, and claimed they held a number of charters allowing them to mine and export up to 36,000 stone of lead ore, a total that they had not yet exceeded. These complaints, however, and those of their heirs, fell on deaf ears, perhaps not surprisingly, given that Athol was prepared to pay a higher duty for ore exports. *R.P.C.*, I, pp. 343-4, 373-7, 433-6, 635-7; II, pp. 396-7, 448. *R.S.S.*, V, no. 2290.

permitted to be exported; 48,000 stone was allowed, and more if possible. Significantly, Athol agreed to pay a higher duty, of 50 oz. of fine silver for each 1,200 stone of ore exported, which may have helped influence the Crown's decision to transfer the lease. Athol immediately leased the rights to four Edinburgh burgesses. At the same time, a further three burgesses of Edinburgh secured the right to mine and export lead ore from anywhere within the realm except the mines at Glengonnar and Wanlock.<sup>25</sup> Thereafter both sets of leases changed hands a number of times, until Eustachius Roghe, Fleming, received the rights throughout the realm in 1583-84.<sup>26</sup> The full contracts have not survived for all the leases, but the majority contained the right to export lead ore on condition that fine silver was paid to the Crown. In addition, mining leases were granted for other areas, and these also contained the right to export lead ore in return for fine silver paid to the mint.

The prevailing Scottish technology for the cupellation of argentiferous lead left unworkable and worthless "sterile" lead. The low grade silver-lead ore, however, could be exported to be used in the continental *Saigerprozess*, allowing the extraction of all silver from the argentiferous lead and at the same time leaving a workable lead. Moreover, the ores referred to are likely to have been the small and previously discarded riddling ores. The rising lead and silver prices meant that exploiting the previously worthless riddlings became worthwhile.<sup>27</sup>

Efforts to improve the technology for the cupellation of argentiferous lead were made in the final decades of the century, when the Crown was complaining about leaseholders who

onlie having respect to thair awin particular commoditie for advantage had transportit and cariet the haill vre fund and win be thame in the saidis myndis furth of this realme swa that nethir the prince at na tyme reportit the proffeit addettit to him theirown nather thit ony commoditie did redound to the commoun weill of this realme.<sup>28</sup>

<sup>25</sup> *R.P.C.*, I, pp. 373-7, 400-1

<sup>26</sup> *R.P.C.*, II, pp. 362-3, 506-14, 626-7; III, pp. 601-2; IV, pp. 22-3; *R.S.S.*, VII, no. 693; VIII, nos. 340, 651. *A.P.S.*, III, c. 21, p. 356; c. 32, pp. 368-71.

<sup>27</sup> Eustachius Roghe's lease allowed him to transport lead ore and sell it for "pot lead" to any man he pleased. It is not certain if this refers to potter's ore or lead for the pot (evidently the Scottish name for the "bole"). The clause, however, appears to have been of no great significance. For Scotland's export of potter's ore in the seventeenth century see T.C. Smout, "Lead-mining in Scotland, 1650-1850" in P.L. Payne (ed.), *Studies in Scottish Business History* (London, 1967), p. 107. G. Downs Rose and W.S. Harvey, "Lead Smelting at Wanlockhead, 1682-1934", *Transactions of Dumfries and Galloway History and Antiquarian Society*, Third Series, LIV (1979), p. 76.

<sup>28</sup> *A.P.S.*, III, c. 32, pp. 368-71. Similar sentiments had earlier been expressed in Regent Moray's grant to Cornelius de Vois in 1568, but in this case it may have simply been confined to those exporting gold and silver ore. *R.P.C.*, I, pp. 612-4.



Licences continued to allow ore exports, but increasingly they were awarded to those promising to improve techniques. The grant to Abraham Peterson, a Fleming, in 1576, dwelt on the extraction of gold and silver from lead and copper, although that it added if lead ore were to be exported it was to pay the customary duty of 50 oz. of fine silver for each 1,200 stone exported. Nothing came of this venture.<sup>29</sup> Eight years later Eustachius Roghe, another Fleming, received extensive rights to find and work metal mines. The lease lamented the practice of previous leaseholders who had exported ore, but conceded Roghe could do the same. In 1585 when Roghe was intent on exporting a cargo of lead ore he claimed that as yet he had not “meltit nor fynnit” lead or copper within Scotland.<sup>30</sup> From the early 1590s Thomas Foulis was appointed to the newly created position of Master Refiner, with a responsibility to refine the King’s duty (i.e. the tenth part of all minerals mined) and all the rest of the ore mined within the realm, so the King would not be defrauded. The export of unrefined ores, however, was still permitted if a licence was obtained from the Treasurer and the Master of Metal.<sup>31</sup> Foulis received the monopoly of refining because he had “fund out the ingine and moyane to cause melt and fyne the ores of metal” and brought strangers at great cost to build houses and mines. It was added that no ore had ever been smelted or refined in great quantities in the realm, but it was always transported “unmeltit and unrefynit”. The Laird of Merchiston disputed this claim, stating Scotsmen had refined these ores in both great and small quantities in Scotland, yet even he added that past experience proved that it was more profitable to export the great part unrefined.<sup>32</sup> In 1594 Foulis also received the lease of the mines at Glengonnar, where he was to mine, “fyne and refyne” or transport out of the realm all metals and minerals. Exporting ore was not specifically mentioned, although presumably the practice continued.<sup>33</sup> Despite quantities of “fyne” lead being produced at the mines by Foulis and his successor, lead ore continued to be sent to Leith.<sup>34</sup> Evidently efforts to improve refining made little or no progress.<sup>35</sup>

There is ample evidence of lead ore being exported. In 1565 the Treasurer acknowledged that Achesoun and Aslowane had paid the duty for the 24,000 stone of lead

<sup>29</sup> *R.P.C.*, II, pp. 506-14; III, p. 2.

<sup>30</sup> *A.P.S.*, III, c. 32, pp. 368-71; *R.P.C.*, IV, pp. 22-3.

<sup>31</sup> *A.P.S.*, III, c. 31, pp. 556-9. The searchers, clerks of cocket, and magistrates were not to permit ores to be exported “unrefined” without the licence of the Treasurer and the Master of Metal. In 1587 licences to export metals had to be granted and signed by the Treasurer. Prior to this, the Master of the Coinhouse, who was accountable to the Treasurer, received the duty. *R.P.C.*, II, pp. 626-7; IV, p. 181.

<sup>32</sup> R. W. Cochrane-Patrick, *Early Records Relating to Mining in Scotland*, pp. 78-83.

<sup>33</sup> *A.P.S.*, IV, c. 71, p. 84; *R.P.C.*, V, pp. 117-8.

<sup>34</sup> *R.P.C.*, V, pp. 414-5; VI, p. 101.

<sup>35</sup> The mines themselves only began to prosper into the seventeenth century. T.C. Smout, “Lead-mining in Scotland, 1650-1850”, p. 104.

ore that they exported.<sup>36</sup> Between 1568 and 1574 the Treasurer's accounts record further receipts for 56,000 stone of lead ore.<sup>37</sup> In the early 1590s the newly created Master of the Metals complained that the General of the Coinhouse, by negligence and collusion, had allowed at least 43,200 stone of lead ore to be exported from Leith since 1577 without payment of duty.<sup>38</sup> Furthermore, there are a number of references to disputes and problems concerning the lead ore export trade.<sup>39</sup>

The Scottish leases and export evidence leave little doubt that exports were in the form of ore, rather than smelted "fertile" (i.e. silver bearing) lead. This is somewhat surprising since smelting lead ore, usually at the mine, was a simple and well-established process needing only minimal equipment or fuel, and, as smelting reduced the bulk of the lead ore by about a half, it meant considerable savings in transport. In the closing decades of the century attempts were made, with royal backing, to improve smelting and refining, yet by the turn of the century they had met with only limited success. Crown leases grudgingly acknowledged the right to export the lead ore abroad, where the *Saigerprozess* allowed riddling ores to yield their silver content, and produced workable lead. It was, in fact, more profitable to export most of it unrefined.

#### (a) Lead Ore and the Custom Accounts

Lead ore began to be exported from the 1560s, a trade the Crown officially sanctioned, albeit latterly grudgingly, in return for the "King's duty"- silver paid to the mint in relation to the quantity of ore exported. This duty, which was collected by the General of the Mint, who was answerable to the Treasurer,<sup>40</sup> ensured the mint received a large proportion of the

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<sup>36</sup> It was alleged that Achesoun and Aslowane exported at least 8,400 stone of lead ore more than the 24,000 stone they were licensed to export. They responded by claiming they were actually permitted to export 36,000 stone of lead ore. *R.P.C.*, I, pp. 343-4, 433-6.

<sup>37</sup> *T.A.*, XII, pp. 110, 273.

<sup>38</sup> Merchiston had objected to the creation of the Master of Metals' office, claiming that it infringed his privilege to collect the King's duty on the mines. The pair also fought over the most profitable method of leasing the mines. Their frank exchanges have survived in the Balcarres Papers, some of which have been printed in R. W. Cochrane-Patrick, *Early Records Relating to Mining in Scotland*, pp. 73-86; *A.P.S.*, III, c. 31, pp. 556-9.

<sup>39</sup> *R.P.C.*, II, pp. 102, 362-3; IV, pp. 22-3, 596.

<sup>40</sup> In 1567 the Treasurer paid for two marking irons to mark the barrels of lead ore passing to Flanders. *T.A.*, XII, p. 88. The licenses to mine and export ore were to be subscribed by the Treasurer, although in 1592 it was ordered that these licenses were also to be signed by the newly created Master of Metals. The General of the Coinhouse objected to this, stating that it had always been part of his office to collect the duty of the mines. *R.P.C.*, IV, p. 181; *A.P.S.*, III, c. 31, pp. 556-9. Treasurers took an active role in ensuring the duty was paid. The Treasurer arrested George Douglas's lead ore exports, and the ore was released only when the Earl of Morton, later the Regent, gave surety that Douglas, his brother, would pay the King's duty. A similar fate befell Eustachius Roghe's lead ore, which again

bullion content from the argentiferous lead ore and also acted as a rent for the lease of the mines. There may have been additional payments for licenses to export ore, again eventually payable to the Treasurer.<sup>41</sup> Importantly, these payments must also have incorporated the export or customs duties. In 1576, for instance, Abraham Petersoun was allowed to export lead ore, “meltit or unmeltit”, custom free in return for the 50 oz. of fine silver to the mint for every 1,200 stone of lead ore exported.<sup>42</sup> Those references to customs on lead ore exports can easily be identified as part of the “King’s duty”. The King, for instance, released the Earl of Arran’s lead ore exports from all the duties, customs and bullion accustomed to be paid to the King, the Treasurer, and the Master Coiner; the ordinary customars were not mentioned.<sup>43</sup> Moreover, there is a complete absence of lead ore in sixteenth century custom accounts, despite the fact it was being exported.<sup>44</sup> Customars did not collect duties on lead ore. Instead all duties on the export of argentiferous lead ores were paid to the Treasurer, or those under his command.

### (b) Estimates of Lead Ore Exports

Exports of lead ore are not recorded in the custom accounts in the sixteenth century, but various other sources can be used as a rough gauge for the extent of the trade. In October 1560 John Gibsoun received a licence to mine and export 24,000 stone of lead ore. The right was then transferred to John Aslowane and John Achesoun. In January 1563 their right was confirmed, and it was noted they had already exported 6,000 stone of lead ore. Prior to July 1565 the contract had been completely fulfilled, and the Treasurer confirmed the receipt of their export duty on the 24,000 stone. The Earl of Athol, however, claimed they had actually exported 8,400 stone “or thairby” more than they were permitted. Aslowane and Achesoun did not object to this allegation. Instead they stated they had the right to export 36,000 stone in total and this figure had yet to be reached, an argument, which had little effect; the mining

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was released only when he promised to pay the King’s duty, as he was obliged to, under his contract. *R.P.C.*, II, p. 102; IV, pp. 22-3.

<sup>41</sup> In 1577 George Douglas had to find surety that he would deliver 15 oz. of fine silver for each 1,200 stone of lead ore, weighed and marked by the General of the Coinhouse, in order to obtain a license to export the ore. This was in addition to the 50 oz. of silver due to the Master of the Mint as the King’s duty. *R.P.C.*, II, pp. 627.

<sup>42</sup> *R.P.C.*, I, pp. 433-6; II, pp. 506-14.

<sup>43</sup> *R.S.S.*, VIII, no. 651.

<sup>44</sup> By the early seventeenth century, barrels of lead ore, presumably “Potter’s Ore”, evidently were being customed. The 1612 book of rates stated each barrel of ore contained 5° lbs., i.e. 31¼ stone (if c. is a short hundred) or 37½ stone (if c. is a long hundred). Each barrel was valued at £10 and therefore paid a custom duty of 10s. per barrel or 3.84d. (SH); 3.2d. (LH) per stone. In the 1612 book of rates and the 1661 ABC of Bullion, six barrels of lead ore were valued the same as a fiddler of lead. *Halyburton’s Ledger*, p. 338; *A.P.S.*, VII, c. 272, pp. 251-4. Six barrels weighed more than a fiddler (i.e. 3,000 or 3,600 lbs., compared with 2,000 lbs. for a fiddler); the difference is simply a reflection on the bulkier unprocessed nature of the ore.

lease was transferred to Athol.<sup>45</sup> Athol immediately leased his rights to a consortium of Edinburgh burgesses, and between February 1568 and February 1570 they paid the Treasurer duty on 31,200 stone of lead ore, of which 16,800 stone had already been exported, with the remainder to follow. Duty was paid on a further 24,842 stone between October 1571 and March 1574.<sup>46</sup> Thereafter the Treasurer's accounts have no more reckonings of the "King's duty". Lead ore, however, continued to be exported. In May 1574 there was a dispute between the members of an Edinburgh consortium. Two partners wished to export the lead ore stored at Leith, but Helen Barroun, the wife of the third partner, prevented them from doing so. The Privy Council decreed that Barroun was to receive a third and the other two partners the remainder; presumably they exported this. Barroun's objections to the ore being exported (which might have been adverse market conditions or distrust of the other partners), were not given.<sup>47</sup>

In the early 1590s two accounts entitled the "The number and Quantity of lead ore we transported further of this realm, since the year 1584" and "The Compt of the Leid Vre Passit Vpoun the Lait Chancelloris Congie Calculatit be the Laird of Merchistoun, 1592" were compiled.<sup>48</sup> These were produced as a result of Master John Lindsay's allegation that the General of the Coinhouse had, by negligence and collusion, allowed at least 43,200 stone of lead ore to be exported since 1577 without paying duty. The exact nature of these two accounts is not known; it is not clear if they are defences, allegations, or even the findings of the case. They cannot therefore be analysed too closely, but they do show some broad trends (Table 12-2). The export account shows just over 19,000 stone of lead ore was exported from 1584 to 1590 and over 23,000 stone passed the "Chancelloris Congie" between 1581 and 1587. The sum total of both accounts is remarkably close to the quantity that, according to Lindsay, evaded duty.

Significant quantities appear only from the mid-1580s. The "Export Account" is titled "from 1584", but it may cover an even earlier period, since Lindsay's allegations date the fraudulent activities back to 1577, presumably when Merchiston entered the office. It is certainly possible that lead ore exports and the ore that passed the Chancellor's "Congie" were small or non-existent up to the middle of the 1580s. In 1576 Abraham Peterson

<sup>45</sup> *R.P.C.*, I, pp. 232, 343-4, 373-7, 433-6, 483-4, 635-7; II, pp. 396-7, 448. *R.S.S.*, V, no. 2290.

<sup>46</sup> *T.A.*, XII, pp. 110, 273. In December 1571, surety was given that George Douglas of Parkheid, would pay the King's duty on the 32 barrels of lead ore to be exported. *R.P.C.*, II, p. 102.

<sup>47</sup> *R.P.C.*, II, pp. 362-3.

<sup>48</sup> R.W. Cochrane-Patrick, *Early Records Relating to Mining in Scotland*, pp. 89-90; *Analecta Scotica*, edited by J. Maidment (Edinburgh, 2 vols., 1834-37), I, pp. 91-4.

received the lease of the mines in Crawford Muir, Robertmure, Hendirland, and other places in the realm, except those in Orkney and those belonging to George Douglas in Glengonnar. Yet two years later he had failed to employ sufficient numbers to work them.<sup>49</sup> Meanwhile the activities of George Douglas, the Regent's brother, were hampered by the King's reaching maturity. Douglas's property, including the mines, was escheat in 1581 for "non delyvering and restoring of the towre, fortalice, and castell of Torthorall and the tressonabill withhalding of the samin".<sup>50</sup> In 1582 The Earl of Arran received these mining rights and quickly leased them to Eustachius Roghe, Fleming.

**Table 12-2: Lead Ore in "Export Account" and "Chancelloris Congie"**

<i>Year</i>	<i>Export Account (Stone)</i>	<i>"Chancelloris Congie" (Stone)</i>
1582	-	854
1584	-	0
1585	8,842	2,732
1586	3,654	5,348
1587	4,266	14,183
1588	0	-
1589	0	-
1590	2,283	-

*Source:* see note 48 on p. 248.

By the early 1580s, Roghe had secured mining rights throughout Scotland,<sup>51</sup> but encountered early difficulties and claimed to have made "little or no profit" because of contagious sickness and the default of a partner. Towards the end of 1585 his lead ore was arrested at Leith because of his failure to pay the Treasurer any duty whatsoever. He claimed he had not paid this because, so far, he had "nather meltit nor fyennit leid nor copper of the saidis mynis in this country nor outwith the same, for the haille that is won is yit remaning on the ground". The Privy Council were prepared to accept this defence, and the ore was released on condition that Roghe found surety for paying duties on it.<sup>52</sup> It is, therefore, conceivable that lead ore exports from the mid/late 1570s to the mid-1580s were negligible. From 1585-87 considerable quantities of lead ore passed the "Chancelloris Congie" and were contained in the "Export account". These came to an abrupt halt after 1587, a year in which the King revoked Roghe's licence to mine and export ores because of the outstanding duties owed by him. The King promised to restore the lease if the Fleming proved he had fulfilled the conditions of his contract. By this time, however, Roghe's operations had fallen into

<sup>49</sup> *R.P.C.*, II, pp. 506-14; III, p. 2.

<sup>50</sup> *R.S.S.*, VIII, nos. 340, 345, 651.

<sup>51</sup> *R.P.C.*, III, pp. 601-2; *A.P.S.*, III, c. 32, pp. 368-71.

<sup>52</sup> *R.P.C.*, IV, pp. 22-3.



disuse, and in 1592 he was seriously criticised for not having “serchit socht nor discoverit ony new mettall... nor hes instructit ony of the leigis... and maist inconvenient of all, hes maid na suficient [payment] of the dewtie of his tak”.<sup>53</sup> For the remainder of the century new leaseholders extracted and sold lead ore from Crawford Muir, but it is impossible to quantify the extent to which it was exported.<sup>54</sup>

The 1611-14 Scottish Export Survey estimated that on average 30,000 stone of lead ore was exported yearly. Its value was low compared with its bulk- a stone was valued at 13s. 4d.- so lead ore accounted for less than 3% of the value of Scottish exports.<sup>55</sup> Tentative estimates for the period 1560-90 suggest lead ore exports were considerably less than this, perhaps a maximum of 10,000 stone in a good year. Export of lead ore may have been a new departure for Scotland in the second half of the sixteenth century, but it was of little importance in terms of Scottish exports or the European lead trade.

### III. CONCLUSION

The Scottish custom accounts in the sixteenth century contain a number of entries for lead exports, with lead coming from a variety of sources. Generally it can be assumed that in 1528-1531 they refer to argentiferous smelted lead; from the mid-1540s to the early 1570s monastic lead; and for the remainder of the century, primarily re-exports. What the custom accounts do not record, however, is the argentiferous lead ore exports, which, because of the precious metal content, paid duty to the Treasurer, or those under him. The low-grade silver-lead ores could be better utilised abroad where the continental *Saigerprozess* allowed the extraction of all silver from argentiferous lead and left a workable lead. The extent or importance of the trade should not be exaggerated.

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<sup>53</sup> *R.P.C.*, IV, pp. 181, 320; *A.P.S.*, III, c. 31, pp. 556-9.

<sup>54</sup> *R.P.C.*, V, pp. 395, 414-5; VI, p. 101.

<sup>55</sup> Appendix 11, pp. 812-4.

## CHAPTER 13

### CORN, BUTTER, FLESH, AND TALLOW

In April 1398, during the reign of Robert III, Parliament introduced custom duties for the first time on a number of commodities. These included 1d. for each stone of tallow and butter, and 6d. per salted meat carcass exported. The following year these duties were ordered to be implemented, though tallow, perhaps through a simple omission or even an exemption, was not included in the list. In fact none of the duties on any of the goods appear to have been applied, and they certainly did not feature in the custom accounts.<sup>1</sup> Tallow, butter, and flesh do not appear in the enrolled custom accounts even during James I's reign, a time when numerous goods became customable. In the case of tallow, at least, this was because its export was completely prohibited, under pain of escheat, in James's second Parliament in 1425.<sup>2</sup> Eventually these goods do appear in the custom accounts, tallow from the final third of the fifteenth century, flesh from the start of the sixteenth century, and butter in the closing decades of that century. They were joined by exports of corn (often called victual or "vittals" in the legislation) at the start of the sixteenth century. The export of all these commodities was subject to numerous restrictions and outright bans, which inhibited the legal customed trade, and may have encouraged illicit unrecorded exports.

#### I. TALLOW<sup>3</sup>

The export of tallow was banned in 1425, and this, together with the lapse of all custom duties except wool, woolfells and hides after 1437, probably accounts for its absence from the custom accounts. Tallow was first recorded in the accounts of the final third of the fifteenth century, a period in which the Exchequer was re-introducing lapsed duties. In 1467, 36 stone of tallow was customed at Cupar, at 2d. per stone, and exported from Eden

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<sup>1</sup> *A.P.S.*, I, pp. 571, 574.

<sup>2</sup> *A.P.S.*, II, c. 7, p. 8.

<sup>3</sup> In the printed editions of *The Exchequer Rolls of Scotland* the editors have some times translated *cepi* as suet and sometimes correctly as tallow.

Mouth. Either the duties lapsed, or tallow exports were banned, or there were no legal exports, for tallow did not appear in the custom accounts again for over a decade, after which it was regularly customed. Leith's accounts from 1479 to ca. 1483 contained 142½ barrels customed at 18d. per barrel. The duty was raised to 4s. around 1483,<sup>4</sup> coinciding with a dramatic fall in the quantity customed. Leith customed only 16 barrels from ca. 1483 to August 1486. From this low level, tallow customs completely disappeared, after Parliament in ca. 1486 ordered enforcement of the previous export bans.<sup>5</sup>

The ban was not imposed in full force for long. Leith's 1488 account, their first since James IV's accession, contained 28 barrels of tallow, customed at the new, enhanced rate of 5s. per barrel. The higher duty may have encouraged the Crown to be less strict in enforcing the ban, yet in the subsequent fifteen years the quantities customed were minuscule and confined almost entirely to Edinburgh.<sup>6</sup> Either the trade was practically non-existent or, more likely, restrictions of some kind were still in place. In 1498 two searchers were appointed at Aberdeen who were given the power to search for gold, silver, tallow, and all other goods that "ar forbidin to be had furth of the realme in contrar the actis of parliament but the kingis licence". Any uncustomed goods, gold, silver, tallow, and forbidden goods detected were to be escheat.<sup>7</sup> This suggests tallow was not to be exported, except with the Crown's permission, which, no doubt, was secured with a payment.

In stark contrast, from 1504, tallow customs were enormous. Between 1504-11 Edinburgh customed 941½ barrels, while a further 339½ barrels were customed at Dundee, Dumbarton, Linlithgow, Stirling, Montrose, and Arbroath. In addition, Dysart was exporting tallow though the burgh's customs were leased.<sup>8</sup> The expansion may have been a result of an upturn in trade, but administrative factors cannot be ignored, with the Crown perhaps being more inclined to allow tallow exports. A large amount was, after all, exported free from customs in the period, at least 420 barrels at Edinburgh and 72½ barrels elsewhere, whereas

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<sup>4</sup> In Perth's September 1482-July 1483 account tallow was customed at 4s. per barrel, and around the same time the duty at Leith was raised to the same rate.

<sup>5</sup> *A.P.S.*, II, c. 2, p. 174.

<sup>6</sup> Between August 1487 and March 1499 Edinburgh/Leith customed only 64 barrels of tallow, and nothing from then to September 1503. The only other tallow was 10 barrels at Dysart in the two years after July 1489.

<sup>7</sup> *R.S.S.*, I, no. 190.

<sup>8</sup> Edinburgh's entry books contain three barrels of tallow in both 1511 and 1513, which were customed at Dysart. *NAS*, E.71/29/2, ff. 14-14v.; 29/3, f. 14.

previously no tallow customs had ever been remitted. Those receiving remissions tended to be foreign merchants, the incumbents of important administrative positions, or royal favourites.<sup>9</sup> Their favoured status must have eased their ability to export tallow, especially if some form of export licence was needed. The Crown's policy at the time must have given both a stimulus and a sanction to tallow exports.

Tallow customs completely collapsed in 1512. Edinburgh customed only a twentieth of the previous year's level, and elsewhere the customs were virtually non-existent. This may have been a result of the doubling of custom duties, to 10s. per barrel in 1511,<sup>10</sup> combined with the Crown being less lenient towards permitting tallow exports. Remissions on tallow customs were insignificant from 1511.<sup>11</sup>

Edinburgh's tallow customs recovered slightly; between July 1514 and September 1516 the burgh customed 128 barrels, and in 1516 tallow re-appeared at Dundee, Dumbarton, and Perth. The following year duties were again doubled, to £1 per barrel. This led to only a handful of barrels being customed, and thereafter it vanishes from the accounts. Exports evidently continued, for in 1526 Parliament stated that great quantities of tallow were being exported, leading to a doubling of the price and the present dearth being exacerbated, despite the statute banning its export- clearly, therefore, illegal exports. It is unclear whether Parliament was referring to the ca. 1486 Parliamentary ban, or to a more recent, unknown, statute. A complete export ban may explain the absence of tallow from the accounts, and in addition the Treasurer's order, in 1523, that the ships at Leith presumed to have tallow on board were to be arrested. In any case a strict export ban was imposed in 1526. Anyone caught contravening the ban was to have his movable goods confiscated, and

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<sup>9</sup> Between 1504-11 remissions on tallow customs were received by a number of foreigners: Sebastian Dornado, Spaniard; James Wilson, inhabitant of Dieppe; William Annas, Frenchman; Francisco, merchant of Florence; Martin Concat, Breton; Martin Lenault, Breton; John Mertinis; John Hurcus; Ferdand Baptiste; Martin Hispanie; Paul Lombardo; John Franschoz/Francis; Conservator of the Scottish Privileges at Veere (*R.S.S.*, I, no. 1583). Natives received relatively few remissions in comparison: James, Earl of Arran; George Corntoun; Alexander Burne; Aymero McCartney; Treasurer and Comptroller; James Balfoure; Robert Barton; Paul Galbraith; William Bassinden. *E.R.*, XII, pp. 263, 374, 463-6, 595; XIII, pp. 90, 87, 99, 230-1, 365.

<sup>10</sup> In the accounts for Edinburgh, Stirling, and Arbroath from August 1510 to July 1511 tallow customs were 10s. per barrel. Dundee and Linlithgow, on the other hand, continued with the old rate for another year at least.

<sup>11</sup> In Edinburgh's 1511 entry book, however, these tallow entries are marked "rex", which presumably indicate the exports belonged to the King and were free from duty. NAS, E.71/29/2, ff. 4v.-5.

the ships and goods of masters and skippers receiving tallow were to be escheat. Additionally, no one was to render, melt, or barrel tallow, presumably for export. In each port searchers were to be appointed to enforce these measures.<sup>12</sup>

In the decade following the 1526 export ban, tallow was only twice recorded in the custom records, and both instances were somewhat unusual. Edinburgh's 1529 account includes four barrels of tallow, which had been escheat for the King. The surviving particular account states they were exported "be the kingis command" by John Conkergud, candle maker to the King.<sup>13</sup> In Edinburgh's next account, March 1529-August 1529, 38 barrels of tallow belonging to the Earl of Arran were customed and were similarly freed from custom duties.<sup>14</sup> What is particularly unusual about these entries is that they were customed at 4s. per barrel (though in neither case was the duty actually paid), a rate that had not been used since in the mid-1480s. The royal connection must have been instrumental in allowing these barrels to be exported.

Small quantities of tallow appear in the custom accounts between 1537-42, when 117½ barrels were customed, principally at Edinburgh, but also at Dundee, Stirling, and Dumbarton. The amount certainly appears to have been very small compared with the illicit trade. In 1537 and 1538 James Mowbray was paid for searching for uncustomed tallow in Dieppe; in the latter year he traced 130½ such barrels.<sup>15</sup> Even if his haul was for a number of years, it was still considerable when compared with the amount legally exported. Tallow continued to be customed and exported, despite at least two efforts to halt the trade. In 1538 the Lords of Council noted that, in spite of acts made against the practice, it continued to be exported in great quantities. Letters, therefore, were issued stating that no one was to export it under pain of escheat. Anyone found doing so was to pay £10 "custume" for every barrel—a form of fine, rather than anything to do with customs. Two years later Parliament reiterated word for word their 1526 tallow export ban.<sup>16</sup> Nevertheless small amounts

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<sup>12</sup> *A.P.S.*, II, c. 4, p. 314; *A.D.C.P.*, p. 242; *T.A.*, V, p. 218. In November 1518, the inhabitants of Edinburgh complained that Robert Barton bought tallow from various places and exported it, leading to an "exhorbitant derth". There is no mention of Barton actually contravening any ban, but the action could have begun before it. *A.D.C.P.*, p. 129.

<sup>13</sup> *NAS*, E.71/30/2, f. 19v.

<sup>14</sup> It was listed as "food" in the charge of the *Exchequer Rolls of Scotland*, but the remission in the discharge clearly indicates it was tallow.

<sup>15</sup> *E.R.*, XVIII, pp. 49, 61.

<sup>16</sup> *A.D.C.P.*, p. 474; *A.P.S.*, II, c. 44, p. 378.



continued to be customed, no doubt under royal licence and protection, until 1542.

After 1542, and for the remainder of the century, Scottish tallow exports disappear entirely from the custom accounts. Tallow re-exports, however, were allowed.<sup>17</sup> A number of letters appointing custom officials between 1536 and 1569 state they had a mandate to custom tallow exports,<sup>18</sup> yet in reality numerous bans and restrictions were placed on native tallow and these were strictly enforced. Licences to export tallow were on occasion sold, but few merchants seem to have taken advantage of them. This was either because of their price, or the fact that they were revoked almost immediately after they were granted and so there was little opportunity to use them. In 1567, for instance, the “unlawful” licence granted to John Mortoun to export 72 barrels of tallow was dismissed.<sup>19</sup>

Merchants were forced to resort to the illicit tallow trade and there are numerous references to it. Officials were placed at home and abroad as a preventive measure and shipments of tallow were captured. In 1564 John Adamsoun, an Edinburgh merchant, and John Hunter in Cannongate were both convicted of contravening the acts of Parliament concerning tallow, the former for trying to export it and the other for melting tallow into barrels to be carried from the realm.<sup>20</sup> Two years later John Law in Brechin was also found guilty of the crime of exporting tallow.<sup>21</sup> In 1567 Parliament noted a common fraud was for tallow to be exported in herring and salmon barrels.<sup>22</sup> Certain exporters of tallow were summonsed in 1573, and in the same year a ship at Burntisland was found to have a puncheon of tallow on board.<sup>23</sup> A ship and crayer belonging to Alan Watson, suspected of carrying beef and tallow, were ordered to be arrested in 1574. The following year, Andrew

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<sup>17</sup> In 1559 tallow was customed with deals at Edinburgh; these were presumably re-exports. Thereafter it is clear the tallow in the accounts was re-exported, since it was normally called Narus/Norway tallow, and on occasion English and Reis tallow. Tallow re-exports were not subject to the same export restrictions as native tallow. The 1612 book of custom rates states Scottish tallow had to be exported with a licence, but they were not needed for re-exports. *Halyburton's Ledger*, p. 340.

<sup>18</sup> *R.S.S.*, II, no. 1919; III, nos. 880, 2021, 2462, 2466; IV, nos. 1627, 2740; VI, nos. 551, 669.

<sup>19</sup> *A.P.S.*, II, c. 14, p. 495; III, c. 6, p. 83; c. 12, p. 379. *R.P.C.*, I, pp. 332-4, 559-60; III, p. 711; IV, pp. 74, 116, 159, 589-90. *R.S.S.*, IV, no. 2194; VII, no. 133; VIII, no. 1862. *R.C.R.B.*, I, p. 46. In 1593 a list of customs on forbidden goods stated that each stone of tallow was to pay 13s. 4d. NAS, E.75/11. Exports of candles were banned by Parliament in 1573, and in 1595 Edinburgh's burgh council also banned the export of candles because it resulted in a great dearth of candles and tallow. *A.P.S.*, III, c. 6, p. 83; *Edin. Recs.*, V, p. 127.

<sup>20</sup> *R.S.S.*, V, nos. 1815-6.

<sup>21</sup> *T.A.*, XI, p. 287.

<sup>22</sup> *A.P.S.*, III, c. 85, p. 44.

<sup>23</sup> *T.A.*, XII, p. 364; *R.P.C.*, II, p. 190.

Reidpeth, skipper in Leith, and Thomas Reidpeth were summonsed for exporting tallow, and certain inhabitants of Dundee, Kirkcaldy, Burntisland, Dysart, St Andrews, and Robert Watson, burghess of Edinburgh, were accused of ignoring the acts of Parliament in barrelling beef, butter, and tallow.<sup>24</sup> In 1591, 20 stone of tallow, which was to be exported, was arrested in Edinburgh, and sold for £14, and four years later a ship at Cockenzie allegedly carrying wheat, coal, and tallow was ordered to be arrested.<sup>25</sup>

The customs accounts show only the legal exports. This is particularly important in the study of tallow. Tallow was, after all, one of the most heavily regulated and frequently banned Scottish exports, and the custom levels are certainly directly related to Crown policy regarding its export. In 1425 tallow exports were banned; as a result of this and, presumably because it was not customable in any case, it was not recorded at all in the custom accounts until the late 1460s, and more regularly a decade later. In the subsequent fifty years, except perhaps in brief periods (1487, and perhaps 1498-1503) tallow exports were permitted, although, at times, the extent may have been restricted through the use of licences. In addition the Crown constantly increased the tallow custom duties. By 1517 the custom duties were over 13 times higher than they had been fifty years earlier. If this was an attempt to exploit the trade for royal revenue it failed; after each increase exports collapsed and custom revenue from tallow diminished. On the other hand, if the Crown's aim was to make the level of duty prohibitive, the policy may have been more successful. In this case it would have also been accompanied by stricter export requirements. The most likely outcome, however, might well have been increased tallow smuggling. The situation after 1517 is straightforward. Tallow export bans were rigorously enforced and licences to contravene them were rarely issued, with exceptions only in 1529 and 1537-42. As a consequence, Scottish tallow was completely absent from the custom accounts. Smuggling was the only feasible way of exporting tallow, and it certainly occurred.

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<sup>24</sup> *T.A.*, XIII, pp. 48, 52, 56.

<sup>25</sup> *Edin. Recs.*, V, pp. 37, 40, 127, 618. In 1590-91 tallow exports were arrested at Dundee, and the burgh's council made stringent efforts to enforce the export bans. A. Maxwell, *The History of Old Dundee, Narrated out of the Town Council Register, with Additions from Contemporary Annuals* (Dundee, 1884), pp. 144-5.

## II. FLESH CUSTOMS

In the sixteenth century the custom accounts record exports of barrels of salted flesh or meat. Legislation suggests this was beef or mutton, although in the enrolled custom accounts only beef or Orkney beef was mentioned by name, and beef was listed in the 1612 book of rates.<sup>26</sup> Flesh first appeared in the 1504, when it was generally customed at 16d. per barrel. The following year and thereafter it was customed at 24d.; very occasionally, however, it was customed at half this rate. It is significant that its appearance coincides with tallow re-appearing in the accounts, and that all the dates for the other entries show a strong correlation. Between 1504-18, 220½ barrels were customed, all of which were from Edinburgh. Flesh then disappeared from the accounts, the year after tallow vanished. In 1530-42 flesh was customed at various times at Edinburgh, Dundee, Perth, and Dumbarton, while tallow appeared in 1529, 1537-42. In the second half of the century flesh appeared in only five custom accounts, and tallow was not recorded at all.<sup>27</sup>

The export of flesh, like tallow, was restricted by numerous export bans, especially in the second half of the sixteenth century. In 1551 flesh exports to England were banned. A year later, because of a great dearth in flesh due to its frequent export to other countries (especially Flanders), the barrelling or packing of flesh to be exported was outlawed. Yet the price of flesh, such as beef and mutton, remained at a high level. In 1555 only as much flesh as was necessary for the voyage was permitted to be shipped.<sup>28</sup> In the following year, however, Edinburgh customed 27 barrels of beef.<sup>29</sup> In 1565 the Conservator in the Low Countries was instructed to search and confiscate all flesh, tallow and forbidden goods arriving from Scotland.<sup>30</sup> Edinburgh's account in 1566, nevertheless, contained 36 barrels of Orkney beef.

Flesh does not appear anywhere in the accounts from 1567 to 1592, yet its export (normally illegal) was constantly alluded to. In 1576 the Convention of Royal Burghs

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<sup>26</sup> *R.P.C.*, I, p. 139; *Halyburton's Ledger*, p. 336.

<sup>27</sup> Edinburgh 1556, 1566, 1592, 1598; Dysart 1598.

<sup>28</sup> *R.P.C.*, I, pp. 114-5, 127-8, 139; *A.P.S.*, II, c. 14, p. 495.

<sup>29</sup> In 1555 Dundee's entry book of cockets contained receipts from Perth for a barrel of flesh for victuals, together with one barrel of beef and a barrel of salt. Evidently these were for the ships' venture, and consequently were not included in Perth's enrolled accounts. NAS, E.71/12/5, f. 2v.

<sup>30</sup> *R.P.C.*, I, pp. 332-4.

decided to send persons to Flanders to try the exporters of flesh, tallow, and other forbidden goods that had been exported contrary to the acts of Parliament. This may well have been an effort to counter increased illegal shipments. The previous year Alan Watson in St Andrews was to be prosecuted for barrelling and exporting beef, and various inhabitants of Dundee, Kirkcaldy, Burntisland, Dysart, St Andrews, and Edinburgh were accused of contravening the acts of Parliament in barrelling beef, butter, and tallow. In 1578 it was reported that flesh continued to be exported, in great quantities, from Leith and the Fife coast. Apparently it was shipped under the pretence that it was for the ships' voyages. It was, therefore, re-enacted that only enough flesh for the voyage could be shipped; the burgh authorities and customars were ordered to enforce this, to calculate the supplies necessary and apprehend any surplus. Export bans on flesh, corn and tallow were renewed in 1584, 1586-87, 1591, and any licences granted to contravene the bans were revoked. It is not known if any flesh was exported under licence in 1582-89, since the customs of the realm were leased, but no flesh was customed in the years prior to 1591, when licences were again revoked.<sup>31</sup> Beef was included in the 1593 table of customs on forbidden goods,<sup>32</sup> so evidently it could be exported with a licence, and around this time 36 barrels of Orkney beef were customed at Edinburgh.<sup>33</sup> It then disappears, presumably as a result of further bans. In 1596 Edinburgh's council, for instance, banned its export.<sup>34</sup> It re-appeared at Edinburgh and Dysart in 1598, and the 1611-14 Export Survey suggests 30 barrels of beef were exported annually. According to the 1612 book of rates, these still required licences.<sup>35</sup>

In the second half of the sixteenth century the export of flesh, like tallow and corn, was constantly prohibited. It occasionally appeared in the custom accounts, more frequently than tallow, but considerably less often than corn, suggesting it was briefly and irregularly licensed for export. The absence from the accounts, combined with the frequency of the renewal of the export bans, tends to indicate there was a thriving illicit trade.

<sup>31</sup> *R.C.R.B.*, I, p. 46. *A.P.S.*, III, c. 15, p. 104. *R.P.C.*, III, p. 711; IV, pp. 74, 159, 589-90. *T.A.*, XIII, pp. 47-8, 52.

<sup>32</sup> *NAS*, E.75/11.

<sup>33</sup> In 1594 Edinburgh received 92 barrels of flesh customed at Thurso. *NAS*, E.71/32/12, f. 6.

<sup>34</sup> *Edin. Recs.*, V, p. 165.

<sup>35</sup> *Halyburton's Ledger*, p. 336. Appendix 11, p. 812.

### III. BUTTER

Butter first appeared in the enrolled accounts at Edinburgh in 1566, and for the remainder of the century it was frequently customed. The accounts normally simply refer to "butter", although in Edinburgh's 1566 account and in numerous pieces of legislation mention is made of Orkney butter.<sup>36</sup> Unfortunately, analysing the customs, let alone the exports, is made virtually impossible because in Edinburgh's accounts butter and oil were virtually always listed together, presumably since both were customed at 3s. per barrel. The appearance of butter elsewhere is limited to Dundee in 1574-77 and the Pittenweem Group in 1596. In both jurisdictions it was recorded separately rather than lumped with oil.<sup>37</sup> In the final third of the sixteenth century a number of bans were imposed on butter exports. In 1573 Parliament banned the export of "eitting butter". Two years later persons from a number of East coast burghs were accused of contravening the acts of Parliament in barrelling butter, beef, and tallow. In 1579 the Convention of Royal Burghs petitioned for butter, either Orkney or "meil butter", not to be exported for three years.<sup>38</sup> In 1593 it was listed as one of the forbidden goods which needed an export licence, although three years later Edinburgh's council included it in a list of commodities not to be exported at all.<sup>39</sup> Nevertheless throughout these bans and restrictions, Edinburgh continued to custom and legally export oil and butter, though it is impossible to know the proportions of either.

### IV. CORN<sup>40</sup>

#### (a) Corn Customs

(i) NATIVE CORN EXPORTS. A small number of entries for corn in the custom accounts at

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<sup>36</sup> Orkney butter was listed in the 1597 bullion duty table and the 1611-14 Export Survey. *Halyburton's Ledger*, p. cxv; Appendix 11, p. 812. John Major noted "Orkney butter, seasoned with salt, is sold very cheap in Scotland". Evidently it was used to pay Crown rents. *Scotland Before 1700 from Contemporary Documents*, edited by P. Hume Brown (Edinburgh, 1893), p. 48; *E.R.*, XXI, p. 326; *R.M.S.*, VII, no. 1312.

<sup>37</sup> In 1576 St Andrews, still an independent custom jurisdiction, sent two barrels of butter to Dundee to be exported. *NAS*, E.71/12/8, f. 13.

<sup>38</sup> *A.P.S.*, III, c. 6, p. 83; *T.A.*, XIII, p. 52; *R.C.R.B.*, I, p. 75.

<sup>39</sup> *NAS*, E.75/11; *Edin. Recs.*, V, p. 165.

<sup>40</sup> The custom accounts listed individual types of grain separately, for instance, wheat, barley, malt, oats, and re-exports of rye. In the various acts and decrees concerning their export general terms such as grain, victual, or vittals were used. Normally these can be assumed to refer to corn.



the start of the sixteenth century are described as being exports, although they might possibly be customs on English imports. Dunbar's July 1498 to July 1502 account contained 24 bolls of wheat, the custom from 24 chalders exported by the Earl of Bothwell. This duty, in kind, was subsequently remitted by the King. The Crown certainly played a role in exporting wheat from Dunbar at this time. In April 1501 the Treasurer paid £11 10s. for the freight of 34 chalders and 7¾ bolls of wheat from Dunbar to Leith, taken to an Englishman there.<sup>41</sup> This may even have been the same transaction. The customing method and rate of one boll per chalder, however, was normally used for English imports, and it does not seem particularly convenient for customing exports. On the other hand, since no duty was collected, the customing method would be irrelevant. In Edinburgh's 1506 account only the monetary customs were given for the barley which was stated as being exported. A degree of suspicion remains that these were English imports; there were, after all, occasions when English imports were mistakenly listed as being exported. Yet lacking better evidence, the statements that they were exports have to be accepted. Until 1550 corn exports re-appeared in the accounts only twice, 20¼ chalders of wheat, barley, and malt at Dysart in 1540, and 8 barrels of rye meal, possibly a re-export, in Edinburgh's 1534 account.

There were frequent allusions to victual exports, however, in the surviving legislation. In 1511 the export of victuals out of the sheriffdom of Aberdeen, along with wool, woolfells, and hides, was regarded as detrimental to the rights of the burgesses and the king's great customs.<sup>42</sup> In 1514, when permission was given to John Cant and James Kennedy to go to England, their boats had to be inspected at Leith to ensure they contained only fish, oil and salt and not any "vittal" or other such stuff. Two years later it was enacted that no nolt, sheep, horses or victuals were to be taken to England. In 1531 the sheriffs of Berwick, Roxburgh and Dumfries, and the Wardens of the Marches had to ensure no victuals were taken to England, even by merchants with a licence from the King. Acts banning Scots taking victual to England were confirmed in 1535. The King, however, could grant safe conducts to Englishmen coming to purchase it, and merchants could lawfully sell it to Englishmen for gold or silver, or other sufficient merchandise.<sup>43</sup> In February 1551 the Wardens of the Marches were ordered to ensure no one took fish, flesh, nolt or sheep,

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<sup>41</sup> *T.A.*, II, p. 101.

<sup>42</sup> *Charters and Other Writs Illustrating the History of the Royal Burgh of Aberdeen*, edited by P.J. Anderson (Aberdeen, 1890), no. 25.

<sup>43</sup> *A.D.C.P.*, pp. 12, 69, 270-1, 367, 369-70; *A.P.S.*, II, c. 25, p. 346.

cheese, butter or any other kind of victual or vivers into England.<sup>44</sup> These references suggest there was an overland trade to England in victuals, though these exports would not appear in the custom accounts.

After 1550 Scottish corn exports- wheat, barley, malt and occasionally oats- regularly appeared in the accounts, although they were regularly subjected to export bans. Corn was included in Edinburgh's two accounts covering from April to September 1554. There seems little in the way of conformity in the rates given in the two accounts, perhaps because there were two different customars. Wheat and oats in the first account appear to have been customed at 3d. per boll; in the second account wheat, barley, and malt were all customed at 6d. per boll.<sup>45</sup> In fact, at some time before September 1554, the Auditors of the Exchequer instigated a new custom rate of 2s. per boll of wheat. Edinburgh's customars claimed the corn was customed and exported before the act; the customar of the Pittenweem Group, on the other hand, dutifully obeyed. Thereafter the custom duties were more uniform. From the mid-1550s to the early 1590s wheat was customed everywhere at the statute rate of 2s. per boll. It appears that in this period malt and barley were customed at 1s. per boll, and oats at 7½d., although often only the monetary duties were recorded.<sup>46</sup> In 1593 the duties were increased. Each boll of wheat paid 3s. 4d. and malt and barley paid 2s. 6d. Four years later Parliament enacted that the customs on all victual exported should be 5s. per boll. Some burghs were quicker to implement this than others.<sup>47</sup>

In addition to the corn contained in the custom accounts, corn, and especially malt, was also listed in the accounts as stulling.<sup>48</sup> Stulling was simply merchandise taken to northern Europe in return for timber and it appeared in the custom accounts from the mid-

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<sup>44</sup> *R.P.C.*, I, pp. 114-5.

<sup>45</sup> David Ramsay's account April-June 1554: 10 chalders of oats £2 (3d. per boll); 12 chalders of oats and 8 chalders of wheat £4 (if oats were 3d. per boll, wheat would also be 3d. per boll); 6 lasts wheat meal and 16 chalders of wheat £8 (if wheat was 3d. per boll, meal would be 16d. per barrel, but wheat meal was 2s. per barrel in the previous account and 1s. elsewhere).

William Ker's account June-September 1554: 5 chalders malt £2 (6d. per boll); 20 chalders wheat £8 (6d. per boll); 12 bolls barley 6s. (6d. per boll); 4 chalders of barley 30s. (5.6d. per boll; possibly the 30s. should be 32s.) 10 chalders of oats 20s. (1½d. per boll).

<sup>46</sup> Monetary totals only were listed at Edinburgh for malt 1557, 1559, 1561; barley 1561, oats 1555.

<sup>47</sup> *NAS*, E.75/11; *A.P.S.*, IV, c. 25, p. 137.

<sup>48</sup> Stulling malt Dundee 1575-76; CAP 1575, 1577 (*NAS*, E.71/6/9, ff. 11-12); Montrose 1576 (*E.71/21/1*, ff. 2v.-3); Arbroath 1582, 1594; Edinburgh 1591, 1593, 1595. Victuals called stulling, Dundee 1574. Stulling barley, Kinghorn 1598 (b).

1570s.<sup>49</sup> Most stulling entries do not specify what the goods were, so the accounts under-record the quantity of corn exports. This is not serious, however, for even if all the entries simply called stulling were corn, which is unlikely, it would only be a small fraction of the corn customs. Significantly, stulling corn was legally exported when export bans were imposed, or at any rate the restrictions on its export were less stringent. In the mid-1570s, all corn exports were banned, yet stulling malt, or victuals called stulling, continued to be legally exported, and likewise, in 1579, the Convention of Royal Burghs demanded that the impediment made against persons passing to Norway with malt and other stulling commodities be removed.<sup>50</sup> In the 1590s corn had to be reasonably priced before it was permitted to be exported, a condition which applied even to stulling, yet evidently the stulling did not need export licences. Edinburgh's 1591 particular account customed malt by licence *and* for stulling to Norway, and it was noted that the lords thought it sufficiently priced at this time.<sup>51</sup> It should be borne in mind that the custom accounts also contained corn exported as stulling, and the export restrictions on it were less harsh.

(ii) CORN RE-EXPORTS. The corn customs must be treated with some care, since a number of entries relate to re-exports. Some, such as Danzig wheat, peas, rye, or Danish or German rye are very obvious.<sup>52</sup> Elsewhere a little guesswork is needed. It can be assumed that all the rye or rye meal customs were re-exports as indicated in the 1611-14 Export Survey.<sup>53</sup> This may explain why rye was customed at Edinburgh in 1574, 1576, and 1579, when native corn exports, except as stulling, were prohibited. Generally, though, the periods in which corn was re-exported tend to coincide with the native exports. This is hardly surprising, as it would seem somewhat strange to import corn and then re-export it if domestic prices were high, though evidently the practice did occur, much to the irritation of the administrators. In 1586 the Privy Council, prohibiting native exports, also banned the export of victual which had been brought in from foreign parts.<sup>54</sup> In April 1595, Edinburgh's council allowed a

<sup>49</sup> Appendix 8, pp. 788-90.

<sup>50</sup> *R.C.R.B.*, I, p. 76.

<sup>51</sup> NAS, E.71/30/24, f. 32v.; E.71/30/25, f. 34v. Likewise in E.71/6/9, ff. 7, 10-12 there was salt by licence and as stulling.

<sup>52</sup> Edinburgh customed Danzig peas 1577, 1591; Danzig rye 1582; Danzig wheat 1598; Danish rye 1594; Bear, malt, and German rye 1598; English wheat and barley 1593.

<sup>53</sup> It should be noted that the printed *Exchequer Rolls of Scotland* have listed wheat meal or fine wheat flour, whereas the particular accounts refer to rye or rye meal. NAS, E.71/30/13, f. 123; 30/18, f. 40v.; 30/19, f. 65 30/20; 30/26, f. 33; 30/29, f. 43. Appendix 11, p. 812.

<sup>54</sup> *R.P.C.*, IV, p. 74.

Dutch merchant and a skipper of Holstein to export their rye to other countries, but they were not to sell any of the rye to anyone in the realm “to be transportet furth of the realme to thair behuif”. By September William Mawcham had been accused and found guilty of buying rye from these strangers from Holstein and exporting it.<sup>55</sup>

(iii) ENGLISH CORN IMPORTS IN THE CUSTOM ACCOUNTS. Up to 1513 English imports were listed separately in the accounts, and as a result there are frequent entries relating to corn imports. After 1513 the accounts normally give only a monetary total for all imports, and rarely list the individual commodities, yet in the closing decades of the sixteenth century English peas and beans were frequently mentioned as customed. These could have been re-exports, but it is more likely that they were English imports. In St Andrews’ 1596 account there were 80 bolls of English peas, and the corresponding particular account states they were imported by an Englishman.<sup>56</sup> In a similar manner, Culross’s 1580 particular account lists a number of chalders of peas and beans which were imports. While they are not described as being English imports, two (of the five) vessels concerned departed a few days after the peas and beans were customed, taking salt with them, suggesting the peas and beans were inward cargoes.<sup>57</sup> Presumably, since there was only a single imported commodity in these accounts, the customars simply listed it by name. Except in Edinburgh’s 1556 account it can be assumed that all the peas and beans, whether called English or not, were imports; there are, after all, no monetary totals for all English goods in these same accounts, and they often occur in periods when corn exports were forbidden.<sup>58</sup>

In the same way it is also possible to distinguish the other English corn entries as either imports or re-exports. The English wheat and barley at Edinburgh in 1593 are, presumably, re-exports, since at the time there are massive native wheat exports, and there is a general entry for all English goods in the account. On the other hand the English victual,

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<sup>55</sup> *Edin. Recs.*, V, pp. 131, 138.

<sup>56</sup> NAS, E.71/25/1, f. 2.

<sup>57</sup> (A) 14<sup>th</sup> May 1580, the bark of Bo’ness, Richard Falconer, master and merchant- 50 bolls peas and beans. 22<sup>nd</sup> May 1580, the bark called the *Grewhund*, Richard Falconer in Bo’ness, master and merchant- 10 chalders of salt. (B) 8<sup>th</sup> July 1580, ship of Lynn called the *Grace of God*, Thomas Wallis master, various merchants- 11 chalders of peas and beans. 15<sup>th</sup> July 1580, ship of Lynn called the *Grace of God*, Thomas Wallis, master, George Bruce merchant- 17 chalders of salt. NAS, E.71/7/1. ff. 2v.-3, 6.

<sup>58</sup> Imports: English peas and/or beans Burntisland 1597; CAP 1593; Dysart 1593-94, 1596; Kinghorn 1596; Kirkcaldy 1593; St Andrews 1594, 1596; Dumbarton 1596. Peas and beans Culross 1580; Beans and malt CAP 1582. Exports: peas Edinburgh 1556.

and English barley at the Pittenweem Group in 1596 and Burntisland in 1562 and 1576 are probably imports, because there are no other English imports nor any native victual customs.<sup>59</sup>

#### (b) Export Restrictions and Corn Customs, 1550-1600

After 1550 corn began to be regularly customed, representing a diversification in trade which caused concern for the royal administrators. Victual exports, evidently by land, had frequently been banned. Now those entering overseas trade had also to be regulated. In December 1552 the Privy Council noted that several vessels had been, or were about to be, loaded with wheat, barley and other corns to be exported. The current dearth, they stated, was greater than before, so it was decreed that no corn was to be exported, either by land or sea. The corn could, however, be exported if a special licence was obtained from the Lord Governor.<sup>60</sup> So at the same time as vilifying those exporting foodstuffs for pushing up prices and impoverishing the poor, the trade was legitimised, providing the Governor was sufficiently rewarded. Exporters took advantage of this and a reduction in corn prices by May 1553.<sup>61</sup>

Corn customs were increased during Mary of Guise's regency, and licenses continued to be granted. The corn in the accounts of the Pittenweem Group and Edinburgh in 1554 was said to have been exported with a special licence.<sup>62</sup> A renewed dearth in 1555 resulted in Parliament banning all victual, flesh, and tallow exports, except the supplies needed for a voyage.<sup>63</sup> In 1556 Edinburgh, however, customed wheat, oats, beans, and flesh, while corn, principally barley and malt, continued to appear in fairly limited quantities until 1561. From then to 1563 no corn at all was customed; perhaps significantly, in 1563, when Parliament noted the dearth of victuals, they did not complain about exports.<sup>64</sup>

Edinburgh's February 1563-November 1565 account contained wheat, malt, and re-exports of rye meal and rye. Exports were certainly causing concern for administrators. In

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<sup>59</sup> There are other English imports in Burntisland's 1576 account, but since it covers four years, different procedures could have been used. For an example of this see Dumfries in the early 1590s.

<sup>60</sup> *R.P.C.*, I, p. 137.

<sup>61</sup> *R.P.C.*, I, p. 139.

<sup>62</sup> *E.R.*, XVIII, pp. 255, 258-60.

<sup>63</sup> *A.P.S.*, II, c. 14, p. 495.

<sup>64</sup> *A.P.S.*, II, c. 6, p. 538.



November 1565 the Privy Council declared that because of “evil weather” the harvest had not produced so great an abundance as in previous years. They added that merchants had obtained licences, which would allow a great quantity of victual to be exported, and if these were allowed, prices would rise to an exorbitant and unreasonable level, causing the impoverishment of the poor. Letters, therefore, were sent to Edinburgh, Leith, Dundee, Montrose, Aberdeen, and other needful places declaring that all these licences were to be discharged.<sup>65</sup> This seems to have had little effect. Barley and wheat were customed at Dundee and Edinburgh, and in fact Edinburgh customed an enormous 156 chalders of wheat from November 1565 to the following April, which represented nearly half of all the wheat customed at the burgh in the thirty years after 1550.<sup>66</sup> The licences obtained from Queen Mary which permitted victual to be exported were revoked in 1567 during Moray’s regency, when there was a great dearth of corn, as the crop was said to be “plagit and spilt with weit”.<sup>67</sup> It is not clear if new licences, in King James VI’s name, were immediately re-issued, but they were evidently being used by 1570. In that year Andro Buk, a burghess of Aberdeen, was given a licence to export victuals to France, although the goods were seized, while he was waiting to sail from the Forth, on account of his past indiscretions.<sup>68</sup> Edinburgh’s 1567-72 account contains small quantities of oats, meal, barley, and wheat, and in the Pittenweem Group’s 1570-72 account barley and wheat were customed. The system of licence selling, however, seems to have encouraged smuggling. In 1571-74 the searcher of Dundee seized corn which was exported without a licence, and in 1572 Alexander Stevinsoun in Ogstounis likewise exported eight chalders of barley without a licence.<sup>69</sup>

In 1573 the previous acts against the export of forbidden goods were ordered to be put into execution.<sup>70</sup> No goods were listed, but they are likely to have included corn. In October 1573 letters were sent to certain inhabitants of Edinburgh, Leith, Anstruther, St Andrews, and Montrose and to other exporters of victual ordering them to give surety that

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<sup>65</sup> *R.P.C.*, I, p. 402.

<sup>66</sup> Edinburgh customed a further 108 chalders of barley in November 1565-February 1567. In the mid-1560s Edinburgh also received corn customed at other burghs; Haddington sent 14½ chalders of wheat in 1565, and in 1566-68/72 104 bolls of barley came from Cromarty. *NAS*, E.71/32/4, f. 7; 32/6, f. 7v. None of Edinburgh’s other surviving entry books of cockets contain corn.

<sup>67</sup> *A.P.S.*, III, c. 31, p. 40; *R.P.C.*, I, pp. 571-2.

<sup>68</sup> *R.P.C.*, III, pp. 123-4; *T.A.*, XII, p. 270.

<sup>69</sup> *T.A.*, XII, p. 271; XIII, p. 48. In January 1572, a ship with victual on board was arrested at Eyemouth, although the reason for this action is not recorded. *T.A.*, XII, p. 300.

<sup>70</sup> *A.P.S.*, III, c. 6, p. 83.

they would obey the law. The following February, similar letters were sent to those in Fife, Angus, and the Mearns.<sup>71</sup> Wheat was recorded in Edinburgh's August to December 1573 account, but thereafter no corn, except for stulling and some re-exports, was customed anywhere until 1577.<sup>72</sup> Since licences were apparently not issued, illegal exports, not surprisingly, continued. In 1574 William Simsoun, the custumar of Crail and Anstruther, seized four bolls of wheat which were intended for export. The wheat was sold for £9; Simsoun received half, and the other half was paid to the Treasurer.<sup>73</sup> Dundee's searcher and Edinburgh's custumar also answered to the Treasurer for goods they had seized at this time, which might have included corn,<sup>74</sup> and in May 1574 summonses were sent to persons in Montrose concerning the export of victual.

In February 1577 the Privy Council officially sanctioned the export of corn. They pronounced that there had been a dearth and scarcity when the ban was imposed, but it was sundry years since the country had seen such a necessity, while there was a great dearth in England, Flanders, France, and the Eastern Seas. It was deemed a neighbourly gesture for Scotland to help them just as they had helped Scotland during her scarcity. Less idealistically and more tellingly, it was added that the trade would be beneficial, because better prices could be received abroad, especially since they had noted that the domestic price of corn had halved, while labourers' fees and the price of merchandise and cattle had remained the same. The Regent, therefore, was to issue licences for barley and wheat exports for this year only. Dundee, Edinburgh, the Pittenweem Group, and Montrose took advantage of this and among them customed 78 chalders of wheat and 129 chalders of barley. Exports must have exceeded these quantities, because in April 1577 the Privy Council bemoaned the fact that more was exported than the licences permitted, and meanwhile others were evading the customs altogether by loading wheat and barley in the

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<sup>71</sup> *T.A.*, XII, pp. 364, 381.

<sup>72</sup> In 1574 the church ordained that Robert Gourlay was to make a public repentance for exporting wheat. The Regent Morton, however, stated he had given him a licence. *The History of the Kirk of Scotland* by D. Calderwood, edited by T. Thomson (Edinburgh: Wodrow Society, 8 vols., 1842-69), III, p. 328. Stulling malt/victual Dundee 1574-76; CAP 1575, 1577 (NAS, E.71/6/9, ff. 11-12), Montrose 1576 (E.71/21/1, ff. 2v.-3). The malt in Edinburgh's 1575-76 accounts was not specifically called stulling, but in all likelihood was. In Edinburgh all the goods which would be expected to be stulling were listed individually at this time. Rye re-exports were customed at Edinburgh in 1574 and 1576.

<sup>73</sup> NAS, E.71/6/6, f. 8v.

<sup>74</sup> *T.A.*, XII, pp. 389; XIII, p. 15.

streams, creeks, and burns in the Forth and the Tay.<sup>75</sup>

In 1578 there were again complaints about a dearth of victual in Scotland, and a number of remedies were enacted, including the discharge of all export licences.<sup>76</sup> As a consequence the custom accounts do not contain any corn in that year, and no corn, except stalling malt and re-exports, was customed until 5½ chalders of wheat were included in Edinburgh's 1582 account.<sup>77</sup>

The customs of the realm were leased by the burghs from 1582-89, making it impossible to examine corn exports in any detail. Victuals, flesh, and tallow exports were banned each year between 1584 and 1587, and, more importantly, the licences to contravene the bans, which had been sold by the King, were revoked.<sup>78</sup> In each act the preamble mentions a great dearth in victual and the harm done by exports, giving the somewhat implausible situation that in four successive years prices were abnormally high. Prices may, of course, have been fluctuating around a new higher price level, but more likely, the preamble used was stock phraseology, which should not be taken too seriously. There may have been a change in the licensing procedure, whereby licences were given in advance and the decision about whether they should be allowed was made later in the year.

In the early 1590s, wheat and, to a lesser extent, barley regularly appeared in the custom accounts. In March 1591 exports were banned and all licences were revoked.<sup>79</sup> Small quantities of corn in the accounts rendered in 1591 may have been exported prior to the ban. In Edinburgh's particular account, however, it was stated that malt could be exported because it was sufficiently priced.<sup>80</sup> After the harvest Edinburgh's burgh council took strong action to halt the "greitt transporting of quheitt interpryset be certane ungodlie personis".<sup>81</sup> Letters prohibiting the export of victual were sent around the country, and persons were

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<sup>75</sup> *R.P.C.*, II, pp. 588-9, 609.

<sup>76</sup> *R.P.C.*, II, pp. 680-1. In 1578 Thomas Kay in Crail received £120 sterling's worth of victual from an Englishman, but did not pay him. The Privy Council condemned this non-payment, since it would prevent others from helping Scotland during a time of necessity. *R.P.C.*, III, pp. 102-3.

<sup>77</sup> Stalling malt at Dundee 1579, 1580; Montrose 1580; Arbroath 1582; Culross 1582 (malt and beans). Re-exports of Danzig rye and rye meal at Edinburgh 1582.

<sup>78</sup> *A.P.S.*, III, c. 13, p. 353; c. 12, p. 379; p. 426; c. 39, p. 452. *R.P.C.*, III, pp. 74, 104, 116, 159, 711.

<sup>79</sup> *R.P.C.*, IV, pp. 589-90.

<sup>80</sup> NAS, E.71/30/24, f. 32v.; 30/25, f. 34v.

<sup>81</sup> *Edin. Recs.*, V, p. 55.

appointed to help the King's officers to search for contraband wheat.<sup>82</sup> Evidently they had some success, for a boat loaded with wheat was seized in Fife. They may have overstepped their authority, however, for part of the vessel's cargo was returned to the owner. Furthermore, in December 1591, the Privy Council heard that Alexander Lowry, a merchant burghess of Edinburgh, had a licence to export 177 bolls of wheat. This had been arrested by the provost and bailies of Edinburgh, but they were ordered to return it to Lowry since he had not exceeded the bounds of his licence.<sup>83</sup> The Crown may have been more willing than Edinburgh's burgh council to allow corn to be exported.

In 1592 exports of licensed victual was permitted, and there was enormous expansion in legal corn exports, particularly in wheat.<sup>84</sup> From October 1591 to November 1594 Edinburgh customed just over 760 chalders of wheat and 140 chalders of malt,<sup>85</sup> and the other burghs together customed nearly 140 chalders of wheat, 120 chalders of barley and small quantities of malt from October 1589 to July 1594. These legal shipments collapsed following renewed dearth and scarcity, and the concomitant mandatory export ban and revocation of licences in June 1595.<sup>86</sup> The dearth brought about a similar flurry of activity by Edinburgh's burgh council. In January 1595 a ship at Cockenzie loaded with wheat, coal, and tallow was arrested, and four months later a boat with wheat at Aberlady was ordered to be seized. The burgh authorities also made their merchants give surety that they would not export any victuals, including re-exports of rye, although some, like William Mawcham, broke their pledge. It is interesting to note that most of these actions took place before the Privy Council's ban. Edinburgh's council continued to take action and in October 1596 they proclaimed that no one was to export any corn, victual, butter, tallow, beef etc. from Leith or Newhaven. Skippers and masters were not to receive these forbidden goods under pain of

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<sup>82</sup> Edinburgh was in fact responsible for preventing the export of all forbidden goods from the bridge at Stirling to Berwick, together with the Fife coast. *R.P.C.*, IV, p. 159.

<sup>83</sup> *Edin. Recs.*, V, pp. 54-5, 61, 70, 699, 725, 751. *R.P.C.*, IV, pp. 708-9. Lowry does not appear to have managed to export this wheat, from Edinburgh at least, since he is not listed in the particular account for the year. NAS, E.71/30/26, f. 43.

<sup>84</sup> Edinburgh's particular accounts in 1592-93 state wheat was passed by the King's licence. NAS, E.71/30/26, f. 43; 30/27, f. 46; 30/29, f. 54.

<sup>85</sup> Edinburgh's 1592 wheat customs were paid directly to the Comptroller and did not appear in the burgh's enrolled account. *E.R.*, XXII, pp. 182-3; NAS, E.71/30/26, f. 43; 30/27, f. 46.

<sup>86</sup> *R.P.C.* V, pp. 221-2. In December 1595, James VI requested a licence from Queen Elizabeth for 5,000 quarters of peas and beans to be exported from England, because there had been a great and almost universal failure in these crops in Scotland and their import would help the poor. *Calendar of State Papers, Relating to Scotland*, edited by M.J. Thorpe (London, 2 vols., 1858), II, p. 702.

escheat of their vessels, and labourers and porters were to be banished if they carried any of these goods to any vessel by day or night.<sup>87</sup> Victual re-appeared in the custom accounts only after Parliament in 1597 enacted that each boll of victual exported with a licence was to pay 5s. in custom duties.<sup>88</sup>

Throughout the second half of the sixteenth century exports of corn were banned. Initially licences to contravene the bans were granted and corn was customed in small quantities, the Crown presumably seeing the sale of licences as a means of accruing additional revenue. In the final third of the century the bans were more strictly enforced; customs only appear for stulling and re-exports. When licences were issued, especially in 1577 and 1592-94, the quantities exported were substantial. The export bans and/or the revoking of licences were always claimed as measures to prevent scarcity and high prices, yet in 1577 exports were permitted with the observation that scarcity had not been felt in Scotland for "sundry years". In the 1590s, at least, Edinburgh's burgh authorities actively tried to prevent the export of corn; this was partly their official duty, but the question of adequate supplies of food must also have been of pressing concern in a relatively big town. Certainly John MacMorane, one of the richest merchants, was regarded as being "not gracious to the commoun people, becaus he caried victuall to Spain".<sup>89</sup>

## V. CONCLUSION

Tallow and the various foodstuffs appear in the custom accounts at a relatively late date. Tallow began to be recorded only in the 1460s and 1470s, and corn and flesh appeared in the early sixteenth century. Tallow exports are likely to predate their customable status, which may also have been the case for the other foodstuffs, but they are unlikely to have been exported on any great scale prior to being customable. Due to the importance of these commodities, strict export restrictions or outright bans were often imposed, and unlike those on other goods, the conditions were normally very strictly enforced. When exports were permitted, the levels were relatively substantial; when export licences were not issued the goods were exported illegally, and there are numerous references to the goods being

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<sup>87</sup> *Edin. Recs.*, V, pp. 127, 132-4, 138, 143, 145, 165.

<sup>88</sup> *A.P.S.*, IV, c. 25, p. 137.

<sup>89</sup> *The History of the Kirk of Scotland* by D. Calderwood, V, p. 382.



smuggled. Unfortunately, the level of the illicit trade cannot be established. All that really can be said is that tallow and foodstuff exports were determined by market conditions at home and abroad. The Crown's legislation determined whether this was done legally or, if considered worth the risk, illegally. This factor is of vital importance when the tallow and foodstuff customs are examined as evidence of exports.

## CHAPTER 14

### RE-EXPORTS

Along with her traditional “commodities of the land”, manufactured goods and fish, Scotland sent various commodities abroad as re-exports, according to the 1611-14 Export Survey.<sup>1</sup> Re-exports were valued at only 5% of total exports in the Survey,<sup>2</sup> yet they comprised a wide and diverse range of goods (Table 14-1) and significantly the trade was growing at a considerable rate during the sixteenth century. Re-exports certainly do not warrant the almost complete neglect they have hitherto received.

**Table 14-1: Scottish Re-exports, 1611-14 (annual average)**

<i>Classification</i>	<i>Value £</i>	<i>% of Re-exports %</i>
Timber & Timber Products <sup>1</sup>	4,714	12
Baltic Wares <sup>2</sup>	25,754	66
Wine	550	1
Salt	1,744	4
Victual <sup>3</sup>	1,479	4
Grocery Wares and Dyes <sup>4</sup>	778.7	2
Metals <sup>5</sup>	2,112.3	5
Textiles & Misc. Manus <sup>6</sup>	1,424	4
Other <sup>7</sup>	500	1
<i>Total Re-exports</i>	39,056	(5.3% of total exports)

<sup>1</sup> Deals, clapholt, pipe staves, pitch and tar.

<sup>2</sup> Wax, hemp, tackle.

<sup>3</sup> Rye, peas, hops.

<sup>4</sup> Alum, brazil, madder, orcheid, vinegar, onion seed.

<sup>5</sup> “Auld” brass, iron, iron pots, lead.

<sup>6</sup> English cloth.

<sup>7</sup> Powder, soap, prunes and onions.

*Source:* Appendix 11, pp. 812-4.

The custom accounts do not separate re-exports from domestic exports,<sup>3</sup> and it is possible that the export customs for fish, wool, and skins sometimes included re-exports,

<sup>1</sup> A summary of the 1611-14 Export Survey is given in Appendix 11, pp. 812-4.

<sup>2</sup> The Survey should not be analysed too closely since it is not known how it was derived.

<sup>3</sup> One exception to this was in the late fourteenth and early fifteenth centuries when English wool was exported from Scotland. This trade, however, should be seen as an illicit regional trade rather than a re-export. See Chapter 6, pp. 144-6.

though this is unlikely to have been significant.<sup>4</sup> More troublesome is establishing which goods were generally re-exports. The list given in the Export Survey provides a useful starting point in identifying them, but could be misleading if used in isolation. Goods listed as re-exports in the early seventeenth century may not necessarily have been re-exports throughout the sixteenth century. The Survey, after all, shows the position after the Union of the Crowns, an event that, much to England's ire, increased English exports via Scotland.<sup>5</sup> It is therefore necessary to examine each group of "re-exports" to establish whether they were indeed always re-exports or whether native produce was sometimes exported.

Eight separate re-export categories have been established; timber and timber products; Baltic wares; wine; salt; victual; grocery wares and dyes; metals; and textiles and miscellaneous manufactures. These classifications allow goods of a similar type and origin to be grouped together, although there are some overlaps. No attempt can be made to establish where the goods were actually bought as opposed to produced. Finally, for re-exports to appear in the custom accounts, the goods would presumably have had to enter Scotland and be landed, prior to being re-exported.

## I. RE-EXPORT COMMODITIES

### (a) Wine

Imports of wine from England, generally customed at 10s. per tun, appeared in the custom accounts around the turn of the fifteenth century. In 1517, however, six puncheons of wine,<sup>6</sup> customed at 1s. each, appeared in the custom accounts, listed as being exported to "Birroune". Thereafter wine was frequently recorded as an export. Edinburgh's 1528, entry account listed 10½ tuns of wine being exported to London, 24 tuns to Veere, and 25½ tuns to

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<sup>4</sup> In the sixteenth century the West coast burghs imported salmon and hides, presumably from Ireland, while small amounts of wool and skins came from England to the East coast burghs. *E.R.* XXIII, p. 316; and Appendix 10, p. 810. In 1581 the *Petir* arrived at Dundee from Norway laden with skins and calf skins. *Wedderburne's Compt Buik*, p. 200.

<sup>5</sup> *R.P.C.*, VIII, p. 304; IX, p. 388; XI, p. 377.

<sup>6</sup> There were four puncheons per tun; two pipes per tun; and six barrels per tun. A. Huntar, *A Treatise of Weights, Mets and Measures of Scotland* (Edinburgh, 1624; reprinted Amsterdam, 1974), p. 4. The editors of the printed editions of *The Exchequer Rolls of Scotland* have tended to translate *dolio* as cask rather than the more accurate tun. Occasionally the printed editions listed both tuns and casks together, in which case the latter can be assumed to be a puncheon; for example Dundee's 1598 (c) account includes three tuns and one cask customed at £3 5s.

Flanders.<sup>7</sup> These 60 tuns of wine naturally appear in the enrolled custom account and were customed at 4s. per tun. Burntisland's particular account, in 1580, mentioned that 16 tuns of wine were "past upone ane licence".<sup>8</sup> In the early 1590s, in an effort to raise revenue, the Crown introduced the Wine Impost. This was an import duty on wine and initially it applied even to wine that was subsequently re-exported.<sup>9</sup> In 1601-2 James Douglas in Leith was ordered to pay his outstanding wine imposts including those on a tun of wine he exported to Norway.<sup>10</sup> There are further references to wine re-exports in the early seventeenth century. The 1611-14 Export Survey noted Scotland re-exported 2¾ tuns of wine, valued at £200 per tun, annually, while the 1597 bullion duty table and the 1612 book of rates include export duties on wine.<sup>11</sup>

From the 1520s, wine re-exports, customed at 4s. per tun, consistently appear in Edinburgh's accounts. This may have been specifically French wine, as stated in Edinburgh's 1575 account. In the 1570s Edinburgh also re-exported Spanish wine (Wine Sack). The accounts normally list only the monetary custom, but on one occasion Malmsey wine was customed at 8s. per tun.<sup>12</sup> At the same time other burghs, including those on the West coast, started to export wine, presumably French, on a regular basis, customed at 4s. per tun. During the second half of the century the price of wine increased significantly,<sup>13</sup> and this may have given the Crown an excuse to raise the custom duties five fold, to £1 per tun, in the early 1580s. Increased custom duties were unusual for re-exports and it is impossible to know if Spanish wine was similarly affected. The increased duty and the introduction of the Wine Impost may have helped contribute to the collapse in wine re-exports in the 1590s. Edinburgh's wine exports fell by a third, although it should be noted that other goods

<sup>7</sup> NAS, E.71/29/4, ff. 3v., 10, 11. The term *versus* is used in the account. It may not actually indicate the precise export destination, but it is clear the wine was being exported.

<sup>8</sup> NAS, E.71/5/1, f. 2v.

<sup>9</sup> A duty was initially to be paid to the king for every tun of French or Spanish wine, whether it was brought home and unloaded at Scottish havens and ports, or sold and "transportit in uther cuntries". *R.P.C.*, IV, p. 514; *A.P.S.*, III, c. 88, p. 586.

<sup>10</sup> *R.P.C.*, VI, pp. 353-4.

<sup>11</sup> *Halyburton's Ledger*, pp. cxvi, 340.

<sup>12</sup> For the custom classifications for different wine imports in 1612 see *Halyburton's Ledger*, pp. 334-5. These gave French and Spanish wines a similar custom value. Parliamentary price fixing legislation, however, allowed for different prices.

<sup>13</sup> Edinburgh's regulated wholesale prices of wine steadily rose between 1550 and 1569 (Bordeaux wine from £24 per tun in 1556 to £38 in 1569). During the 1570s prices doubled, and they doubled again in the 1580s, after which the rate of increase slowed. Figures taken from D. Robertson and M. Wood, *Castle and Town: Chapters in the History of the Royal Burgh of Edinburgh* (Edinburgh, 1928), p. 283.

originally produced in Southern Europe and re-exported from Scotland experienced a similar fall.

Wine re-exports were only a small fraction of total Scottish re-exports. At Edinburgh it accounted for about a tenth of re-export customs during the sixteenth century. Furthermore, it represented only a minuscule proportion of the wine that was imported. At least 2,000 tuns were imported between November 1590 and November 1591;<sup>14</sup> just over 50 tuns were re-exported in the same period.<sup>15</sup>

By the 1590s Scots were also actively involved in shipping wine. In 1589 the Privy Council complained of the great hurt done by ships exporting gold, silver, hides, herring, and salmon to Bordeaux and purchasing wine, since not all the wine was brought back to Scotland. Instead, quantities were sold in Normandy, Picardie, and England. Vessels were ordered to bring the entire cargoes back to the realm and sell them at reasonable prices.<sup>16</sup> In the following two years Scots vessels were forbidden to transport wines from Bordeaux or any part of France to Papist areas disobedient to the authority of the King of France. It was added that the wine should be brought to Scotland and should pay the new Wine Impost.<sup>17</sup> The alliance between Scotland and France may have been a stimulus to this shipping trade. The actual privileges the Scottish merchants enjoyed in France, however, were limited,<sup>18</sup> and they cannot have been a significant factor in the Scottish wine re-export trade. Nor can all the re-exports have been "corrupt" or mixed wine, which by decree in the fifteenth century act, had to be exported.<sup>19</sup> Edinburgh, for so long the sole wine exporter, cannot have been the

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<sup>14</sup> The first Great Wine Impost, with the charges, fees, and leakage (a tenth) deducted, amounted to nearly £16,000 and each tun paid £8. The figures presumably include the nobility's imports, although later they secured an exemption. *E.R.*, XXII, pp. 107-8; J. Goodare, *State and Society in Early Modern Scotland* (Oxford, 1999), p. 114.

<sup>15</sup> Edinburgh was the only jurisdiction to custom wine in this period; their account includes 27¾ tuns at £27 15s. and a further £8 10s. for wine sack. There are other examples of re-exports, tiny compared with imports. Dundee in 1581, for instance, re-exported 5 tuns wine, whereas one ship alone, the *Lyoun* of Dundee, which had arrived from Bordeaux, contained 85 tuns of wine. There were a further five or six ships containing roughly the same amount, a number of smaller consignments, and a number of ships whose cargoes are not listed in full. *Wedderburne's Compt Buik*, pp. 195-201. Between 1601-2, James Douglas claimed to have imported 16 tuns of wine, only one of which was re-exported. *R.P.C.*, VI, pp. 353-4.

<sup>16</sup> *R.P.C.*, IV, p. 147. Despite this, David Wedderburne in 1590 sent money, salmon, herring, and linen cloth to his brother, Robert, in Bordeaux. The proceeds were to be "warit on wyne and sauld and to mak profit to me in euery voage befor his hame cuming". *Wedderburne's Compt Buik*, pp. 143-4, 146.

<sup>17</sup> *R.P.C.*, IV, pp. 526, 674.

<sup>18</sup> T. Pagan, *The Convention of the Royal Burghs of Scotland* (Glasgow, 1926), pp. 198-202; *R.C.R.B.*, I, pp. 18, 559.

<sup>19</sup> *A.P.S.*, II, c. 7, p. 144.



only burgh importing such poor wine. It is more likely that this small but regular re-export trade was determined by economic factors, in particular shipping patterns (for instance, direction and scale of trade, the necessity for ballast, freight rates etc.) Re-exporting wine must have been a risky venture, given that the potential deterioration in quality and loss from leakage increased enormously over time.

#### (b) Timber and Timber Products

(i) TIMBER. In an attempt to develop the native ship building industry, following the Union of the Crowns James VI banned the export of timber. The response of the Scottish Privy Council was that timber had not actually been exported for a considerable time. This was no doubt the case for Scottish timber,<sup>20</sup> but the Council neglected to add that within the previous generation exports of imported timber, primarily from Norway, had boomed, and it had become one of Scotland's most important re-export trades.

In the last decade of the fifteenth century the custom accounts contained small quantities of timber.<sup>21</sup> These may have been re-exports, for certainly timber was considered an important import rather than a native export at the time.<sup>22</sup> Timber re-appeared in the custom accounts in 1557.<sup>23</sup> The trade began to develop slowly only from the mid-1570s, before a dramatic expansion by the 1590s. The 1611-14 Export Survey clearly listed exports of deals, clapholt, and pipe staves as re-exports, while the enrolled custom accounts commonly refer to "Norway daillis" or even "Knappald of Norway", which obviously suggests a Scandinavian origin. Certainly the *Haire* returned to Dundee from Norway with a cargo of deals, fir spars, clapholt, and oaken timber.<sup>24</sup> These commodities frequently appear as Scottish re-exports; originating in northern Europe, they were re-exported from Scotland further south. In 1596 St Andrew's particular account noted the 1,440 deals customed were sent in two or more ships to Bordeaux. David Wedderburne exported 60 deals to Bordeaux

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<sup>20</sup> Contemporaries were quick to note the scarcity of trees in Scotland. Their analysis, however, was limited by the geographically restricted nature of their travels. S.G.E. Lythe, *The Economy of Scotland in its European Setting, 1550-1625* (Edinburgh, 1960), p. 142.

<sup>21</sup> Edinburgh 1489- a thousand *tabellarum* called clapholt 10s.; Edinburgh 1494- certain *tabalarum* of rachters... exported; Edinburgh 1499- a thousand *tabularum* called clapholt exported.

<sup>22</sup> In 1469 timber, along with wine, iron, woad etc., was included in the list of small customs payable on imports. It was not listed in the outward goods. *Edin. Recs.*, I, pp. 23-4.

<sup>23</sup> Clapholt at Edinburgh in 1557.

<sup>24</sup> *Wedderburne's Compt Buik*, p. 205. Numerous other entries refer to vessels returning from Norway laden with similar types of timber. The timber types also appear in the 1598 imports custom accounts.

and the proceeds were to be used to buy wine or woad. Imports of Norway deals from Scotland, along with salt, fish, and flax, were noted at Hartlepool.<sup>25</sup>

The custom accounts contain a large variety of timber re-exports. The trade, however, was completely dominated by deals.<sup>26</sup> Even at Edinburgh, with the greatest diversity in timber exports, deals rarely accounted for less than 90% of the total timber customs. Dundee seldom customed anything else and virtually all the major ports between Edinburgh and Montrose customed re-exports of deals at some stage in the 1590s. Timber imports too appear to have been dominated by deals.<sup>27</sup> The re-exported deals can be assumed to be Norway deals, rather than the more expensive Prussian or Burgendorp deals.<sup>28</sup> The remainder of timber re-exports were large quantities of staves, paying low custom duties, for instance clapholt, (small split timber, usually oak, for barrel staves or panelling) pipe and barrel staves, and "scowis" which were probably the same as staves, or, periodically, small quantities of expensive timbers, such as roof spars, oak timber, and boat oars. Compared with other goods, the amount of timber imports that were subsequently re-exported was relatively high. In 1598 the Fife and Tay burghs re-exported around a quarter of all their timber imports, and for deals alone the proportion was considerably higher.<sup>29</sup>

The timber exports in the final third of the sixteenth century were undoubtedly re-exports, and were dominated by Norwegian timber, especially deals. The trade began, in a modest fashion, in the late 1570s, and the Norwegian-Danish wars may have stalled its progress. At that time Scotland evidently could not secure sufficient Norwegian timber

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<sup>25</sup> NAS, E.71/25/1, f. 1; *Wedderburne's Compt Buik*, p. 68; T.S. Willan, *Studies in Elizabethan Foreign Trade* (Manchester, 1959), p. 69. In 1597 exports of deals were liable for bullion duties, and the 1612 book of rates listed deals, clapholt, spars, staves, and corbellis as customable exports. *Halyburton's Ledger*, pp. cxvi, 337-40.

<sup>26</sup> Deals were listed in the records as "daillis".

<sup>27</sup> *E.R.*, XXIII, pp. 315-21.

<sup>28</sup> In 1612 the import duties for Spruce deals were 6d. each; Burgendorp deals 5d.; and Norway deals 2d. each. The export custom for Norway deals was also 2d. each, a rate that had been in use since the 1570s. *Halyburton's Ledger*, pp. 290, 337.

<sup>29</sup> In 1598 the level of timber exports and imports can be compared for most of the burghs between Stirling and Montrose. This is a crude measure, but it does demonstrate the high proportion which was re-exported. Ranked in order of importance in absolute quantities Dundee re-exported 17% of timber imports (99% of pipe staves and 26% of deals imports were re-exported); the Pittenweem Group 52% in total (93% of deals); St Andrews 14% in total (16% of deals and 14% of clapholt); Dysart 8% (20% of deals); in Burntisland the re-exports were 136% of the imports (deals 236%); Montrose 35% (deals 50%). *E.R.*, XXIII, pp. 241-5, 315-35.

supplies for herself.<sup>30</sup> In the 1590s timber re-exports prospered, and perhaps as much as a quarter of Scotland's timber imports subsequently went to such markets as France and England.

(ii) TIMBER BY-PRODUCTS. Tar, obtained from the distillation of wood (in particular pine, fir, or larch), and pitch, produced by boiling or distilling tar, were the most important timber based products in the custom accounts. While the price of pitch was slightly higher, because of the additional process in its manufacture, both were customed at 1s. per barrel, and they were virtually always listed together in the accounts. The custom accounts' entries for ashes and soap were of considerably less importance. These entries can be assumed to be timber based, and of a broadly similar nature. The 1612 book of rates listed exports of "ashes called wood or soap ashes", and for long periods Edinburgh customed ashes and soap together.<sup>31</sup>

Exports of pitch, tar, ashes, and soap, like timber, initially appeared in the custom accounts in the closing decades of the fifteenth century.<sup>32</sup> Timber exports disappeared entirely after the turn of the century, but timber by-products continued, albeit in a small and irregular manner. The mid-1520s saw an expansion in pitch and tar exports. Edinburgh exported a larger amount, more frequently, and other burghs also began to participate in the trade. Ashes and soap exports followed suit a decade later, but they remained largely confined to Edinburgh. War with England led to a slump in trade in the 1540s, a situation not helped by a significant rise in the price of pitch and tar.<sup>33</sup> In the 1570s exports of timber based products boomed. Edinburgh exported an annual average of 350 barrels of pitch and tar between 1573-82, over 2½ times the burgh's average for the previous twenty years. Yet even as timber exports boomed in final decade of the century, timber products stagnated and

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<sup>30</sup> In 1573 the export of small salt was banned, but its sale was permitted to those strangers from Norway and others of the east parts who brought timber. *A.P.S.*, III, c. 3, p. 82. In 1579 the Convention of Royal Burghs desired no impediment be made to those exporting shoes, salt, malt, or linen cloth to Norway for the homebringing of timber. *R.C.R.B.*, I, p. 76.

<sup>31</sup> Wood ashes were used for making lye, the alkalisied water necessary for cloth making. When not confined to exports the terms "ashes" and "soap" could have a number of different meanings. The 1612 import book of rates also included ashes called potash, and entirely different soap imports from the Low Countries, Castile, or Venice. *Halyburton's Ledger*, pp. 288, 326.

<sup>32</sup> The entries were clearly exports. Edinburgh's 1475 and Dysart's 1488 accounts state the pitch and tar was exported. Edinburgh's 1511 particular account lists three ships departing with pitch and tar leaving for (*versus*) Berwick, Veere, and Dieppe. Two years later a ship went to Veere with pitch and tar, and in 1528 two ships went to Dieppe. *NAS*, E.71/29/2, ff. 2, 13, 15v.; 29/3; f. 4; 29/4, ff. 7, 9. The 1597 bullion duties and the 1612 book of rates both list pitch, tar, ash and soap as customable exports. *Halyburton's Ledger*, pp. cxv-cxvi, 336-40.

<sup>33</sup> The medium price for the 15 entries of pitch and tar 1507-13 was 20s. per barrel. Between 1529-42 it was 26s. (from 11 entries). In 1566-67 there were three entries priced 50s., 55s., and 70s. per barrel. *T.A.*, I, III-XII.

indeed declined slightly.<sup>34</sup> Timber, for the first time, became dominant, with pitch, tar, ashes, and soap playing a secondary role.<sup>35</sup>

Pitch, tar, and soap were listed as re-exports in the early seventeenth century Export Survey. It is more difficult, however, to establish for how long this had been the practice. Throughout the sixteenth century these products were imported,<sup>36</sup> though Scotland must have had the capacity to produce them. Scottish sheep, after all, were said to have been smeared with native pitch.<sup>37</sup>

In the early decades of the sixteenth century, traders exporting pitch and tar can also be seen to be importing it, which may indicate they were re-exporting imports.<sup>38</sup> The fact that the increase in pitch and tar exports came in the 1520s, with ash and soap slightly later, presumably makes it less likely that native exports played a prominent role. Moreover, it was a period which saw the expansion and development of other re-export trades. In 1567 and again in 1581, presumably to ensure adequate supplies, Parliament was to consider “the inbringing of tar”. By the early seventeenth century pitch, tar, and soap were considered to be re-exports.

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<sup>34</sup> Edinburgh exported on average 300 barrels of pitch and tar per year in the 1590s.

<sup>35</sup> The change in the make up of the trade is particularly evident in Edinburgh. Between 1573-82 timber by-products accounted for over 90% of the combined timber and by-products customs. By 1589-98 it was less than a third.

<sup>36</sup> For imports of pitch and tar from Flanders in 1511 and a venture for them to Danzig in 1512. *T.A.*, IV, pp. 282, 303, 305, 306-7. Andrew Halyburton made numerous purchases of soap at Middleburg for Scottish merchants, although this may not have been the same type of soap that was re-exported, e.g. *Halyburton's Ledger*, p. 41. Ships from Danzig and their cargoes of ashes, tar, pitch, timber, iron, and lint, were, for fear of plague, quarantined at Inchcolm in 1564. *R.P.C.*, I, pp. 279-82. The Dundee Shipping Lists contain a number of ships arriving, primarily from Danzig, with ashes, soap, pitch, and tar. *Wedderburne's Compt Buik*, pp. 206, 207, 209, 217, 225. These commodities are included in the 1598 import accounts, and were listed in the 1612 import book of rates. *Halyburton's Ledger*, pp. 288, 324, 331. *E.R.*, XXIII, pp. 315-21.

<sup>37</sup> *Early Travellers in Scotland*, edited by P. Hume Brown (Edinburgh, 1973), p. 61. For purchases of pitch for the King's sheep at Ettrick Forest in 1434 see *E.R.*, IV, p. 576.

<sup>38</sup> Robert and Andrew Barton exported pitch and tar from Edinburgh in 1510-11; the margin notes in the account suggest these exports were on behalf of the King. The Barton brothers also imported pitch and tar along with other naval supplies for James IV's navy. Long after the monarch's death Robert continued to import, or purchase imported pitch and tar. *NAS*, E.71/29/2, ff. 13; *A.D.C.P.*, p. 128; For the Bartons' involvement in purchasing naval stores for James IV's naval programme, see W. Stanford Reid, *A Skipper from Leith: The History of Robert Barton of Over Barnton* (London, 1962); for pitch and tar imports in particular see *T.A.*, IV, p. 114. William Brownhill was also active in importing and exporting pitch and tar. On the 23<sup>rd</sup> of May 1511 (presumably) he was paid for purchasing and shipping 30 barrels of pitch and tar from Flanders to Leith, two weeks after he was recorded as having exported 17 barrels to Dieppe. *NAS*, E.71/29/2, f. 15v. *T.A.*, IV, pp. 303, 305.



Occasionally timber by-products were customed in burghs not normally associated with re-exports, such as Cupar, although this was confined to very restricted periods.<sup>39</sup> Haddington and Cupar exported pitch and tar in the 1520s during a time of political disturbance.<sup>40</sup> In the mid-1570s when Cupar, Perth, and Stirling were briefly involved, there was a period of expansion in re-exports throughout Scotland. Simply because these burghs were not normally associated with re-exports does not mean they never re-exported goods. The raisins exported from Perth in 1577, for instance, can only have been a re-export. The imports might simply have been surplus to requirements, or they might have undergone some processing in Scotland prior to being exported. Haddington and Cupar, for example, exported pitch in the mid-1520s, which could possibly have been made from imported tar; Parliament had been concerned only with tar imports in 1567 and 1581. Alternatively, the pitch and tar could have been native produce. Nonetheless, even supposing that these were domestic or semi-domestic products, and this is by no means certain, and that other burghs were involved on an equal scale, the trade was unlikely to have had much significance. It does little to alter the assumption that the pitch, tar, ash, and soap in the custom accounts were primarily re-exports.

It is difficult to establish what proportion of imported timber by-products was subsequently re-exported. It is possible to compare imports and exports of timber at the burghs between Stirling and Montrose in 1598. This shows imports were small and re-exports were only a tiny fraction of them.<sup>41</sup> It should be remembered, however, that Edinburgh was not included, and the figures come after the peak in Scottish timber by-product exports.

### (c) Miscellaneous Baltic Wares

As with timber, the export of miscellaneous Baltic wares really began only in the final third of the sixteenth century. Within twenty years it was firmly established as by far the most important re-export category.

<sup>39</sup> See pitch and tar exports at Haddington 1522/4; Perth 1576, 1577; Cupar 1524-26, 1576. Ash exports at Linlithgow 1559, 1565; Stirling 1576, 1577; Perth 1575, 1576, 1580, 1581.

<sup>40</sup> G. Donaldson, *Scotland: James V to James VII* (Edinburgh, 1965), pp. 20-1.

<sup>41</sup> The Pittenweem Group imported 19 barrels of pitch and tar and exported 8 barrels. Between them Montrose, Dysart, Dundee, and St Andrews imported 103 barrels and 84 stone of pitch and tar, 271½ barrels of soap (perhaps not all soap ashes), and 16 barrels of ash. They did not re-export any of these commodities. Kirkcaldy and Kinghorn did not custom any imported timber by-products but 12 barrels of pitch and tar were exported. These may have been imported before the start of the import account, or else imported at other jurisdictions. *E.R.*, XXIII, pp. 315-21.



The category “miscellaneous Baltic wares”, hereafter simply “Baltic wares”, includes a variety of commodities commonly associated with the Baltic or Northern Europe, namely, wax, tallow, powder, cables and tackle, linseed, flax and hemp, and various skins, such as “calaber skins” and Danzig barked leather (marten and seal skins could, but have not been, included). It should be remembered these were not necessarily imported directly from the Baltic prior to being re-exported. Goods such as iron, iron pots, copper, wheat, rye, and canvas were not imported from the Baltic exclusively.<sup>42</sup> Wheat and rye was also imported from England, iron also came from Spain and Flanders,<sup>43</sup> and canvas was made in a number of areas. These commodities are, therefore, not included in the Baltic ware category. Scotland also imported timber and timber by-products, which originated in Northern Europe; these have been classified separately for analytical purposes.

In the early seventeenth century wax, hemp, tackle, and powder were described as re-exports, a mere thirty years after their first occurrence in the custom accounts. Scotland did in fact produce these goods. Flax and hemp were grown;<sup>44</sup> cable yarn, in the middle of the seventeenth century, was subject to excise duties;<sup>45</sup> and there is no reason for Scottish bees not to produce wax. Indeed, several centuries earlier, John of Fordun had claimed that Scotland was by no means deficient in wax.<sup>46</sup> There is, however, little to suggest the domestic produce was exported, especially in any great quantity.<sup>47</sup> Scotland did have sizeable exports of domestic tallow, although in the second half of the century this trade was banned. The restrictions did not apply to tallow re-exports, which were listed in the accounts as “Narus”, “Reis”, or even “English” tallow.<sup>48</sup> The export of domestic barked hides was

<sup>42</sup> For ships arriving at Dundee from Danzig with iron, iron pots, powder, and copper kettles see the Dundee Shipping Lists in *Wedderburne's Compt Buik*, pp. 206-9, 212, 217, 223, 225, 226-8. In 1564, ships suspected of being plague infested arrived from Danzig with iron, as well as timber, pitch, tar ash and lint. *R.P.C.*, I, pp. 279-82.

<sup>43</sup> *Edin. Recs.*, I, p. 145.

<sup>44</sup> *R.P.C.*, IV, p. 206; VI, pp. 268, 367-8.

<sup>45</sup> *A.P.S.*, VI, ii, p. 829a.

<sup>46</sup> *Scotland Before 1700 from Contemporary Documents*, edited by P. Hume Brown (Edinburgh, 1893), p. 10.

<sup>47</sup> In October 1575 a quarter of a last of lint was customed in Cupar at 5s.; it was subsequently taken to Pittenweem to be exported. Three years later the burgh customed 7s. 6d. of hemp. In both cases the quantities involved were minuscule. They might have been domestic produce, for Cupar was not heavily involved in the re-export trade. *NAS*, E.71/8/2, f. 3; 8/3, f. 1v.

<sup>48</sup> Edinburgh's particular accounts states the tallow was “furth of Ners”. The names, however, can be misleading, and they may simply refer to a type of product rather than the geographical origin. Dundee's 1580 particular account, for instance, described “talloun furth of Queinisburg”, but in the enrolled account it was called Narwe tallow. *NAS*, E.71/12/10, f. 13v. The tallow evidently came from Northern Europe, but the exact location is vague. The 1612 book of rates highlighted the difference between exports and re-exports, stating Scottish tallow transported upon licence paid £1 custom per barrel and exports of Narves tallow paid 10s. *Halyburton's Ledger*, p. 340.

also periodically banned in the second half of the sixteenth century, but this did not extend to Edinburgh's exports of Danzig barked leather hides.<sup>49</sup> On one occasion yarn was described as Danzig yarn (Edinburgh 1590). The small quantities of linseed exported from Edinburgh in the second half of the sixteenth century may have been produced in Scotland, for Parliament deemed it necessary to ban its export in 1573.<sup>50</sup> Alternatively, and perhaps post-dating the ban, the linseed entries were re-exports. It was certainly listed as an import in the 1612 book of rates. The quantities imported, judging by admittedly incomplete 1598 import customs, were small, and it was confined to Burntisland's importing eight pecks of linseed, customed at 5s. 4d.

In 1511 Edinburgh exported a huge quantity of wax, which paid £144 10s. in customs. The wax was shipped towards southern Europe by Andrew and Robert Barton, acting on behalf of the King, in nine different vessels.<sup>51</sup> This was an exceptional and isolated incident. Baltic wares generally appeared only occasionally in the custom accounts and, apart from a brief flurry of activity at Edinburgh in the 1550s, they were of little significance until the final third of the century.<sup>52</sup> They became an important re-export in the 1570s. By the final decade of the century they accounted for nearly half of the re-exports from the East coast, and they were particularly significant in Edinburgh.<sup>53</sup> Baltic ware exports were dominated by wax exports, and Edinburgh seems to have had something of a monopoly in this trade, with tallow and flax the only other significant components.<sup>54</sup>

There are numerous entries relating to sizeable imports of these commodities. The 1598 import accounts, restricted to the burghs between Stirling and Montrose, included large imports of flax and hemp, tackle and/or cable yarn, and some powder. Interestingly,

<sup>49</sup> Edinburgh 1590-91, 1596, 1598 (a).

<sup>50</sup> Linseed customs in Edinburgh's 1558-59, 1567/72, 1590-91, and 1593 accounts. For the export ban *A.P.S.*, III, c. 6, p. 83.

<sup>51</sup> A small number of folios for the particular account are missing, but the surviving sections record Andrew and Robert Barton exporting at least 21 "stekis" of wax (containing a minimum of 1,900 stone) and 16 puncheons of wax. These were contained in six shipments *versus* Dieppe, and one each to London, Berwick, and Veere. NAS, E.71/29/2, ff. 2, 5, 8v., -9, 11-11v., 13, 15v.

<sup>52</sup> Prior to the mid-1560s, Baltic wares appeared only in Edinburgh's custom accounts, namely: powder 1551; wax 1530, 1537-38, 1541, 1551; lint/hemp 1552-53, 1554-58; linseed 1558-59; calaber skins 1550-51, 1553. These totalled £57 8s. in customs, and nearly half of this was for the flax in 1552.

<sup>53</sup> In the 1590s Baltic wares accounted for over 58% of Edinburgh's re-exports, whereas in Dundee and Fife they were only 28% and 9% respectively. Tables 14-3, 14-4, and 14-5 on p. 299 below.

<sup>54</sup> Wax accounted for over 60% of the Baltic wares customed at Edinburgh 1568-98, tallow 17%, lint/hemp 14%, and the remainder 6%. See Table 14-3 on p. 299 below.

however, neither the import, nor the corresponding export accounts contain any wax.<sup>55</sup> The Dundee Shipping Lists clearly show large quantities of lint, hemp, powder, wax, and tackle from Danzig.<sup>56</sup> Indeed, David Wedderburne, a merchant from Dundee, can be seen sending goods and/or money to the Baltic in return for these commodities.<sup>57</sup> It can be no coincidence that re-exports of Baltic wares emerged at the same time as the number of Scottish ships entering the Baltic expanded.<sup>58</sup>

#### (d) Great Salt<sup>59</sup>

Scotland exported domestically produced small salt throughout the sixteenth century. From the 1560s, exports of great salt were also listed in the custom accounts.<sup>60</sup> Despite the various monopolies granted to encourage the production of great salt, it was not manufactured in Scotland,<sup>61</sup> and is clearly a re-export. This is confirmed by the 1611-14 Export Survey, which listed great salt as a re-export and small salt as a native manufacture; they were valued at 40s. and 25s. per boll respectively.<sup>62</sup>

Great salt only began to be customed in the final third of the sixteenth century, although prior to this it may have been included with native salt exports. Edinburgh's 1528

<sup>55</sup> All the burghs listed in the 1598 import custom accounts imported flax and/or hemp. Only a small proportion was subsequently exported (9,200 stone of flax and hemp was imported, and the corresponding export accounts listed nearly 400 stone). CAP, St Andrews, Dundee, and Dysart imported tackle and/or cable yarn (nearly 2,000 stone was imported; roughly 550 stone was exported); and Dundee and Stirling imported powder (558 lbs. were imported; there were no exports). *E.R.*, XXIII, pp. 315-21.

<sup>56</sup> *Wedderburne's Compt Buik*, pp. 206-9, 212, 217, 225-8; see also *R.P.C.*, I, pp. 279-82.

<sup>57</sup> In 1597 he sent money to Danzig for rye or lint. Other simple bilateral transactions for Baltic wares included cloth being shipped to Königsberg and Danzig in 1608 in return for wax; herring to Danzig in 1595-96 for lint or iron; while money was sent to Danzig for wax candles. Furthermore, he exported tow to Flanders and powder to Bordeaux/Rouen. *Wedderburne's Compt Buik*, pp. 68, 72, 79, 113, 117, 128, 176.

<sup>58</sup> The number of Scottish ships going to the Baltic increased in the second half of the sixteenth century, particularly from the 1570s. S.G.E. Lythe, "Scottish Trade with the Baltic, 1550-1650" in J.K. Eastham (ed.), *Economic Essays in Commemoration of the Dundee School of Economics* (Dundee, 1955), p. 64.

<sup>59</sup> The enrolled accounts listed *salis grossi*. The editors of the printed editions of *The Exchequer Rolls of Scotland* translated this as coarse or large salt, but great salt is a more appropriate term, which, after all, was the name used in documents written in the vernacular, including the particular accounts, the 1612 book of rates, the 1611-14 Export Survey, and Parliamentary legislation.

<sup>60</sup> Great salt had appeared in the custom accounts as imports from England, or more likely, via England. *E.R.*, VIII, pp. 389, 539, 545, 620; IX, p. 63.

<sup>61</sup> C.A. Whatley, *Scottish Salt Industry, 1570-1850* (Aberdeen, 1987), pp. 37-9.

<sup>62</sup> In the 1612 book of rates, great salt exports were customed at 12d. per boll, and the same rate was applied to imports of white or Spanish salt, and Bay or French salt. For imports of great salt see *Wedderburne's Compt Buik*, p. 83, 204-5, 216, 225. Moreover, in the 1598 import accounts from May/June 1597 to November 1598, Pittenweem imported 216¼ chalders, Dysart 47½ chalders, and Dundee 27½ chalders of great salt. *E.R.*, XXIII, pp. 315-21.

particular account listed three ships exporting 20 chalders of great salt, as well as native salt, to Northern Europe.<sup>63</sup> The corresponding enrolled account simply listed 146½ chalders of salt. In Edinburgh's next enrolled and corresponding particular account the salt exports were described as great salt, and the same custom duty as native salt was charged (2s. per chalder).<sup>64</sup> This was the only entry specifically listed as great salt and it may have been a clerical mistake. Alternatively, it could have been an attempt to circumnavigate the salt export bans of the 1520s. It may even represent a legitimate but exceptional trade; there were, after all, exceptionally large wine re-exports in the same year. Re-exports of great salt may have been included with native salt export totals in the accounts, but this is by no means certain. If it were the case, the lack of differentiation might indicate the trade was small and not well established.

From the final third of the sixteenth century, great salt re-exports were listed separately, and different custom duties were charged.<sup>65</sup> Great salt exports were almost entirely confined to Edinburgh.<sup>66</sup> The trade prospered in the 1570s, before collapsing in the 1590s.

#### (e) Victual

In one of its many bans on victual exports the Crown, in 1586, also outlawed the practice of exporting victuals which had been "brocht within the same from foreyne partis".<sup>67</sup> In the 1611-14 Export Survey, wheat, barley, malt, oats, flour, bread, and butter,<sup>68</sup> were noted as being domestic exports. Rye, peas, and hops,<sup>69</sup> on the other hand, were regarded as re-exports.

<sup>63</sup> NAS, E.71/29/4, ff. 10-11.

<sup>64</sup> Edinburgh 1529 (a), and NAS, E.71/30/2, f. 18v.

<sup>65</sup> Great salt was customed at 8s. per chalder, although normally the quantity is not listed in the accounts. In the second half of the sixteenth century native small salt was initially customed at 2s. and later 4s. per chalder, and each barrel (an eighth of a chalder) paid 1s. In the 1612 book of rates native small salt was customed at 5s. per chalder, 1s. per barrel, while each chalder of re-exported great salt paid 16s. Dundee 1579-80, 1598 (a); CAP 1598 (a); Edinburgh 1598 (a), 1598 (b); *Halyburton's Ledger*, p. 339.

<sup>66</sup> There are only five non-Edinburgh entries for great salt: Dundee 1574, 1579-80, 1598 (a) and CAP 1598 (a). The entry at Kinghorn in 1598 (a) is a mistake for small salt in barrels.

<sup>67</sup> *R.P.C.*, IV, p. 74.

<sup>68</sup> Butter was also imported. It was listed as such in the 1597 and 1612 books of rates, the latter stating it came from England or Holland, and David Wedderburne on one occasion imported it from Norway in 1608. *Halyburton's Ledger*, pp. cxv, 293; *Wedderburne's Compt Buik*, p. 113.

<sup>69</sup> The hops re-exports in the Export Survey were insignificant, amounting to only £9 in value per year. The number of entries and quantities in the sixteenth century custom accounts were, likewise, tiny. Dundee 1575, Edinburgh 1567/72, 1580, 1594, 1596. Imports of hops were more impressive; Dundee imported 249 stone in 1598. The 1612 book of rates records duties on hops imported from

The custom accounts in the second half of the sixteenth century contain frequent entries of rye or rye meal, together with Danish, Danzig, and German rye. All are assumed to be re-exports. In April 1595, for instance, Edinburgh's council allowed a Dutch merchant and a skipper of Holstein to depart with their rye to other countries on condition that they did not sell any of the rye to anyone in the realm who would transport it "furth of the realme to thair behuif". In September, however, William Mawcham pled guilty to buying and exporting rye from the strangers from Holstein.<sup>70</sup> Up to 1582 rye was exported while native corn was subject to export bans, although inevitably rye re-exports were greatest during periods when supplies of domestic victual could be legally exported.<sup>71</sup> Following the 1586 act, which banned all corn exports including re-exports, they may have been incorporated in the corn export bans, even if not explicitly stated. Certainly in the 1590s, corn re-exports disappear from the accounts, at the same time as domestic corn exports were banned; e.g. 1590 and 1596-97. Market conditions must also have played a significant role. There was little point in re-exporting if domestic prices were high. Notably, during the dearth in 1596, Edinburgh's re-export of Baltic wares completely collapsed. Imports from the area, presumably, were geared exclusively to feeding her populace, and none could be spared. More generally, over the course of the 1590s, re-exports of rye, like other North European wares, prospered as the quantity exported increased and more burghs were involved in the trade.

The Danzig peas customed in 1577 and 1591 were, presumably, re-exports. The remainder of peas and beans, described as "peas and/or beans" or "English peas and/or beans", are more likely to be customed English imports, as were the English victual and barley at the Pittenweem Group in 1596, and Burntisland in 1563 and 1576. The Danzig wheat in 1598 and the English wheat and barley at Edinburgh in 1593 appear to have been

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Flanders and England, the latter being over three times higher than the former. *Halyburton's Ledger*, p. 315.

<sup>70</sup> *Edin. Recs.*, V, pp. 131, 138. Despite the burgh's ban, Edinburgh's November 1594 to November 1595 custom account contained 180 barrels of rye.

<sup>71</sup> Edinburgh, in February 1563-August 1572, exported wheat, barley, and malt, and the burgh's average rye customs in the period were £3 per year. In the 1570s native victual exports were almost continuously banned, and though rye re-exports continued, they were small. Between December 1573-August 1581 the customs averaged £1.5 per year. A temporary lifting of the export ban, in 1577, allowed wheat, barley, and oats to be exported. Rye, however, was not re-exported. This is hardly surprising since the areas it came from- France, Flanders, England, and the Eastern Seas- were said to be afflicted with a scarcity and dearth in corn. In 1582 Edinburgh again exported wheat, and the rye re-exports rocketed, amounting to nearly £15 in customs between August 1581 and August 1582.



re-exports, while the remaining wheat and barley in the custom accounts were domestic exports.<sup>72</sup>

#### (f) Metals

Writers in the sixteenth century talked in glowing terms about Scotland's mineral deposits. They said less about the country's smelting and refining, which tended to be limited in scale and of a backward nature where it existed at all. In the early seventeenth century, iron, lead, and old brass were listed as re-exports. This scenario could, with caution, be projected back into the sixteenth century. Lead overshadowed all other metal exports in the first two-thirds of the sixteenth century, and this was likely to be native lead. In 1529 and 1531 smelted argentiferous lead was exported, to be refined overseas. The even larger lead exports, in the middle decades of the century, had been pilfered from monastic foundations. Admittedly, this lead would have originally been imported years beforehand, but it can not realistically be considered a re-export.<sup>73</sup>

Copper and lead exports prospered in the 1590s. In this decade attempts to improve refining seem, for the first time, to have had some success.<sup>74</sup> Yet is difficult to imagine, even given limited improvements, that the export boom could be anything but a re-export phenomenon.

Iron smelting in Scotland only developed following the Union of the Crowns. Even in the early seventeenth century, it operated on a small scale, and was actively discouraged,

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<sup>72</sup> For a fuller discussion as to how the domestic corn exports, re-exports, and English imports have been determined see Chapter 13, pp. 263-4.

<sup>73</sup> See Chapter 12, pp. 239-42.

<sup>74</sup> In 1576 the Fleming, Abraham Petersoun, received a lease to mine and refine gold, silver, copper and lead at Crawford Muir. This came to nothing. Another Fleming, Eustachius Roghe, in 1583, was granted all the Scottish mines. One of the aims was to promote smelting and refining, although, perhaps tellingly, the Crown added that as long as lead and copper was delivered it did not matter whether it was refined in Scotland or not. Certainly in 1585, when Roghe attempted to export lead ore, he claimed he had not as yet smelted or refined lead or copper within or outwith the country. A few years later he was replaced as tacksman. In 1592 Thomas Foulis was granted the monopoly of smelting and refining metal ores, an operation which in "great quantities was new to Scotland". The Laird of Merchiston contested this point, claiming refining in great and small quantities had indeed been practised. He did acknowledge, however, that past experience proved it was more profitable to export ore unrefined. In 1594 Foulis was granted the right to mine and refine the metals in Crawford Lindsay, providing he paid the custom duties. *R.P.C.*, II, pp. 506-14; III, pp. 2, 601-2; IV, pp. 22-3; V, pp. 117-8. *A.P.S.*, III, c. 31, pp. 556-9; III, c. 32, pp. 368-71; IV, c. 71, p. 84; R.W. Cochrane-Partrik, *Early Records Relating to Mining in Scotland* (Edinburgh, 1878), pp. 73-83.

in an attempt to preserve wood stocks.<sup>75</sup> The import of iron was vital to Scotland in the sixteenth century. In 1567 and 1581 Parliament was to consider the “inbringing of... irne”, and between these dates, in 1574, the salt masters complained that a dearth of iron had a knock-on effect on the price of their product.<sup>76</sup> The evidence, where available, shows that Scotland imported iron on a considerable scale, and that by the end of the century it came primarily from Northern Europe.<sup>77</sup> The iron exports in the custom accounts were clearly re-exports. The 1612 book of rates valued iron exports at exactly the same rates as imports (although iron ordnance and pots were more expensive). This trade was confined to Edinburgh and was small, but, like lead and copper, and various Northern wares, it prospered in the 1590s.<sup>78</sup>

Brass exports trends were somewhat different to those of copper, lead, and iron. Brass emerged in the mid-1570s as a regular and steady, if somewhat meagre, trade. In the 1590s, while the exports of other metals boomed, brass remained virtually static. In the final third of the century iron, copper, and to all intents and purposes, lead exports were confined to Edinburgh (apart from occasional lead exports at the Fife ports in the 1590s). On the other hand, brass appeared almost constantly at Perth in the final quarter of the sixteenth century, less regularly at Dundee, and at Edinburgh only in the 1590s. Perth was not a port naturally

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<sup>75</sup> In 1609 Parliament banned the manufacture of iron because it would cause the “utter waisting and consumeing” of the woods in the Highlands, timber which, they felt, could be better used elsewhere. Previously, they noted, these woods had been unknown or at the “leist unprofitable and unused” because of the savageness of the inhabitants, who were now in a state of “general obedience”. The Privy Council, however, stated that there was not one iron mill in the country. They self-righteously added that the small amount of iron which was produced, used only scroggis, boughis and branches, old stocks, and cuttings of timber that served no other purpose. Thus, they reasoned, the ban should not stand, and any applications should be treated individually. In 1612 Parliament approved the licences granted to Sir George Hay to manufacture iron throughout Scotland, and to Archibald Primrois, Clerk of the King’s mines, to manufacture iron within the sheriffdom of Perth. It was noted that Hay had brought in a great number of strangers to work with natives in the “arte and practize of making irne... not heirtofoir knawne”. *A.P.S.*, IV, p. 408b; c. 59-60, p. 515. *R.P.C.*, IX, p.351. *Scotland Before 1700 from Contemporary Documents*, pp. 274-5.

<sup>76</sup> *A.P.S.*, III, c. 25, p. 30b; p. 93b; c. 9, pp. 214-5.

<sup>77</sup> The 1612 book of rates listed import duties on Spanish, Prussian, and Swedish iron, and osmund iron. All were valued at 13s. 4d. per stone, hence customs were 8d. per stone. Scotland’s iron imports appear to have come mainly from Northern Europe. In 1564, iron imported from Danzig was suspected of carrying the plague. Virtually every vessel “from Danzig”, and the one ship from Stockholm, in Dundee’s sixteenth century Shipping Lists contained lasts of osmund iron and ship pounds of “gad iron” (bar iron). The Dundee merchant, David Wedderburne, moreover was active in this trade to secure “Suadins gad Iron and oismontis”. The 1598 import accounts show huge quantities of osmund iron (customed at 5.2d. per stone), and long iron (at 8d. per stone). Interestingly iron tended to be a more significant proportion of the import customs at burghs with small import trades. *R.P.C.*, I, pp. 279-282. *Wedderburne’s Compt Buik*, pp. 68, 71, 206-9, 212, 217, 226-7. *Halyburton’s Ledger*, p. 317. *E.R.*, XXIII, pp. 315-21.

<sup>78</sup> Edinburgh 1489, 1553, 1566, 1567/72, 1574, 1580-81, 1591-6, 1598.

associated with the re-export trade. Moreover, the fact it was exported throughout the year tends to suggest it was not a re-export.<sup>79</sup> Scotland was unlikely to have produced brass, which was, after all, obtained from copper, yet perhaps some form of processing was being applied. Perth, with its access to Highland timber, may have either engaged in processing or may have been the first customs point for the wares on their outward journey. This, admittedly, is highly speculative, for domestic production seems improbable, but brass exports appear to be of a different nature from the other metal exports. In any event, brass exports, judging by customs receipts, were a tiny and insignificant proportion of metal exports.

#### (g) Grocery Wares and Dye Stuffs

In the sixteenth century Scotland exported a wide assortment of grocery wares- raisins, figs, prunes, sugar, vinegar, nuts, pepper etc., and what can loosely be called dye stuffs- woad, alum, brazil, and madder. There can be little doubt that these exports, like the corrupt puncheon of figs sent to Denmark in 1528, were re-exports of goods associated with Southern Europe.<sup>80</sup> Up to 1550 the trade was of little significance. Madder was exported in 1505, figs in 1528, prunes in 1534, and sugar in 1505, 1511, 1546, 1547, and all, except the last two sugar entries, which were from Dundee, were exported from Edinburgh. Robert Barton was the merchant responsible in 1505 for exporting sugar, which he may have obtained in his piratical activities against the Portuguese. Certainly later in the same decade he seized sugar from Portuguese ships.<sup>81</sup> It may not be coincidental that Dundee's sugar exports occurred in a period of intense privateering activity.

After 1550, grocery wares and dye-stuffs appear more frequently in the accounts, particularly figs, raisins and prunes, sugar, vinegar, woad, brazil, and madder. Groceries and dyes accounted for a quarter of Edinburgh's re-export customs in 1550-72 and 1573-82, and a tenth of Dundee's in 1533-66 and 1573-82.<sup>82</sup> The trade appears to have collapsed in the

<sup>79</sup> Dundee's 1576 entry book of cockets records a barrel of brass from Perth in November 1575, a further barrel in the following February, a quarter of a barrel in April, a barrel in September, and finally 2¾ barrels in November. All were exported by different merchants. It should be noted that the account also records Perth's exports of ash, pitch, and tar via Dundee. NAS, E.71/12/8, ff. 1v.-2v., 3v.-4v.

<sup>80</sup> This, of course, does not necessarily mean they were imported directly from Southern Europe; the *Engill*, for instance, returned from Danzig with a cargo which included a barrel of prunes. *Wedderburne's Compt Buik*, p. 223.

<sup>81</sup> In April 1505, the Bartons captured the *St Mary* of St Malo which contained a number of unspecified packages. W. Stanford Reid, *A Skipper from Leith*, p. 79.

<sup>82</sup> See Tables 14-3 and 14-4 on p. 299.

1590s. Edinburgh's annual average export of groceries and dyes fell by two-thirds from the 1570s to the 1590s, and their proportion of all Edinburgh re-exports fell from 20% to 2%. This is, however, somewhat misleading. The figures prior to the 1590s are skewed by a few extremely large exports. Two years of sugar exports (January 1561-February 1563 sugar customs £333), and a single year of woad (November 1574-October 1575 woad customs £114) account for over 70% of Edinburgh's grocery and dye re-exports between 1550-82. Moreover, Dundee's sugar exports in the 1540s account for virtually all the burgh's grocery trade in the sixteenth century. In actual fact, if the extreme years are ignored, the exports dropped only slightly in the 1590s. Yet the trade is perhaps best characterised by anomalies, and only two commodities, woad and dried fruit (figs, raisins, and prunes) can be said to have constituted a regular trade.

#### (h) Textiles and Miscellaneous Manufactures

(i) TEXTILES. The first reference to re-exports of textiles and miscellaneous manufactures occurred in 1506. James IV excused Fransisco Gerardini, a merchant of Florence, from paying the customs on 60 ells of velvet and silk he was exporting. The material had previously been imported from England, possibly by the same merchant.<sup>83</sup> Manufactures did not re-appear in the enrolled custom accounts for another two decades,<sup>84</sup> while textile re-exports, in far less glamorous forms, re-appeared even later.

Edinburgh regularly exported linen/canvas, in various guises, during the 1550s. Apart for an unprecedented boom in 1551, it was an insignificant trade (see Table 14-2). Linen cloth was also customed in Edinburgh's 1567-72 account, as was "cotton" (presumably, as in the 1612 definition, "Clothe of woll called... cottoun freise"). Textile re-exports reached a peak in the 1590s. They included small quantities of wool based textiles- French grograms in 1591 and French serges 1595,<sup>85</sup> and, more importantly, various types of linens- Danzig Silesian linen; Silesian cloth and Dornyk; linen fustian; canvas. In the sixteenth century, Scotland did make and export low quality linen and hempen cloth, but the entries given above can be assumed to be re-exports. Many correspond with the wide variety of linen imports given in the 1612 book of rates, while the names of others again suggest they were originally imported. The Holland cloth, a linen cloth according to the 1612 book

<sup>83</sup> Since the velvet and silk was not sold it is unlikely to be included in English import custom figures.

<sup>84</sup> Edinburgh's 1513 entry account includes a credil of glass which John Tennand, younger, exported to Danzig, but this glass, together with a puncheon of tar, was not included in the enrolled account. NAS, E.71/29/3, ff. 4, 8.

<sup>85</sup> Domestically produced Scots says and grograms were customed in Edinburgh 1590-93. See Chapter 7, pp. 176-7.

of rates,<sup>86</sup> exported in 1552 could only have been a re-export. It is possible that linen exports in the previous and following years, which were not so specifically named, were also re-exports.

**Table 14-2: Edinburgh's Linen/Canvas Exports, 1546-61**

<i>Account</i>	<i>Description</i>	<i>Custom Duty</i> (£)
1546-50	Linen cloth called nettle cloth	2.2
1551	Linen cloth or canvas	59.8
1552	Holland cloth	5
1553	Canvas (and cards)	4.2
1554	Canvas	1.2
1555	Canvas	0.75
1556	-	0
1557	Linen Cloth	0.5
1558-60	-	0
1561	Linen and woollen cloth called canvas and caddes	2.2

*Source: E.R., XVIII, pp. 119, 147, 177, 199, 259, 336-7; XIX, pp. 6, 37-8, 84-5, 114, 174.*

(ii) MISCELLANEOUS WARES. During the second quarter of the sixteenth century, glass was the only significant item in this category, clearly a re-export. The Scottish glass making industry really began to develop only in the early seventeenth century.<sup>87</sup> Glass appeared in the enrolled accounts from the late 1520s at the same time as the wine trade became established. In fact, up to the 1560s, both goods were of roughly the same magnitude and experienced very similar trade cycles. This wine/glass pattern broke down following the Reformation. Wine re-exports grew and diversified to other ports. Glass, on the other hand, did not; its export remained confined to Edinburgh and contracted sharply, especially in the 1570s (a rather unusual trend for a re-export). Glass re-exports, in 1597, were deemed important enough to be included in the Bullion duties, though this was surely based on its

<sup>86</sup> *Halyburton's Ledger*, p. 320.

<sup>87</sup> Lythe stated that there are "slender references to the production of fairly sophisticated glassware at Falkland as early as 1506-7". The sources he refers to both came from the third volume of the printed Treasurer's accounts, but they in no way support his view. No glass at all was recorded on one of the pages referred to, and the other merely records the delivery of flasks of glass. Moreover, there is nothing in the remaining entries for glass in the volume to suggest glass was being produced in Scotland. Admittedly the glasswright Thomas Peblis was frequently mentioned, but his job was as a glazier rather than a manufacturer. A century later the industry, with the help of monopoly rights granted by the Crown, did grow. In 1621 the Privy Council banned the import of glass, since Scotland, they stated, produced as good a quality of glass at reasonable prices as could be imported from Danzig or London. The fact that an act banning glass imports had to be passed suggests this pride was not altogether justified. S.G.E. Lythe, *The Economy of Scotland*, pp. 41-2, 46. G. Donaldson, *Scotland: James V to James VII*, pp. 244-5. *T.A.*, III, pp. 83, 151, 161-2, 180, 192, 297, 333, 335, 337, 368. *R.P.C.*, XII, p. 452.



past significance rather than its contemporary position, which is best characterised as occasional and minuscule at that. The commodity was not given in the 1611-14 Export Survey.

The only other manufactured good, which appeared fairly regularly in the custom accounts, was iron pots. This was a tiny trade and confined to Edinburgh's accounts (1554, 1556-57, 1561, 1579-80, 1582, 1598), but other burghs may, like Montrose's 1576 particular account, have included the pots under the general name of stulling.<sup>88</sup> Iron was not produced in any great quantity in Scotland at this time, although it is possible that imported iron was cast into pots. The evidence for imports of iron pots is limited in the available sources. The 1598 import accounts for the burghs between Stirling and Montrose do not contain any. The Dundee Shipping Lists, in the sixteenth century, listed only one ship arriving with iron pots—the *Engill* arrived from Danzig with 268 iron pots and a barrel of prunes.<sup>89</sup> The 1611-14 Export Survey listed iron pots as re-exports and the 1612 book of rates valued their import and export.<sup>90</sup>

Books, paper, cards, knives and forks, kettles, and bowstrings were all customed in the second half of the sixteenth century, predominantly at Edinburgh and occasionally at Dundee. In this category, these miscellaneous manufactures were second in importance only to textiles at Edinburgh. The bulk of these customs, however, came in a four-year period in the early 1550s, and hemp and canvas were included in the figure.<sup>91</sup> For the remainder of the century the trade in miscellaneous manufactures was of little significance.

The re-export of textiles and other manufactures was concentrated at Edinburgh, and it was a sporadic and uneven trade. Glass re-exports in the second quarter of the sixteenth century was the only really regular trade. Textiles, exported mainly in the 1550s and the 1590s, were the biggest re-export, covering a variety of different materials although most were linen based in some form. The other manufactures, such as iron pots, books, paper and cards normally made up a minuscule share of the trade.

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<sup>88</sup> Montrose in 1576 customed four ships carrying Norway Stulling. All but one carried iron pots (30 iron pots in total) along with other stulling commodities. NAS, E.71/21/1, ff. 2v., 3.

<sup>89</sup> *Wedderburne's Compt Buik*, p. 223.

<sup>90</sup> *Halyburton's Ledger*, pp. 316, 337; Appendix 11, p. 814.

<sup>91</sup> Edinburgh, 1551- books, hemp, paper, cards £16 17s.; 1552- cards, paper, hemp £115 1s.; 1553- Cards and canvas £4 4s.; 1554 (a) cards and paper £6 4s.

## II. SCOTLAND'S RE-EXPORT TRADE

### (a) Re-exports from the West Coast

Judging by the custom accounts, the Scottish East coast burghs began re-exporting imported goods primarily from the start of the sixteenth century. Thereafter the trade grew at an impressive rate, especially in wares from Northern Europe, during the final decades of the century. The West coast burghs, however, had different trading networks and should be treated as a separate entity.

(i) RE-EXPORTS OF CONTINENTAL EUROPEAN GOODS. In a long running dispute, Wigtown objected to Whithorn "drawing of strangers and their ships from the burgh and freedom thereof to the Isle of Whithorn". This, they felt, was prejudicial to their privilege of attracting all the ships that came between the Irish Sea and the midstream of the water of Cree. As this dispute dragged on, Wigtown in 1513 additionally accused the inhabitants of Whithorn of furnishing "our sovereign lord's enemies of England, the Isle of Man and Ireland with wine, wax, iron, and salt now in time of dearth". The quantities involved were relatively small; at one point five or six men of Whithorn were accused of taking five or six puncheons of wine. Nevertheless it was decreed that the Prior of Whithorn, the inhabitants of the town, and everyone within the bounds of Galloway were to be prohibited from buying any wine, wax, iron, great salt or any other foreign commodities for export, though they were still permitted to sell Scottish goods to strangers. In 1517, accusations were again made that in the previous four years French and Breton ships laden with Gascon wine, iron, salt, and other merchandise had been drawn from Innerwell, and other havens in Wigtown's freedom, to the Isle of Whithorn. The inhabitants of Whithorn had then sold the goods in both great and small quantities to Englishmen, Irishmen, Manxmen, and men of the country within the sheriffdom of Wigtown, resulting in "defrauding the Crown of customs and the said burgh of Wigtown of their privilege and the profits they might have had of the said strangers and ships".<sup>92</sup> The trading privilege dispute continued, although the issue of re-exports was not again raised; it was, after all, a minor point in a wider action. These references show continental European wares had been re-exported, and the trade was liable for custom duties. Wigtown and Whithorn's custom accounts (the two were virtually always customed together in the same enrolled account) do not contain any re-exports of wine, iron, or salt during this period. This was, presumably, partly because of those "defrauding of the crown of customs",

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<sup>92</sup> *Wigtownshire Charters*, edited by R.C. Reid (Edinburgh: Scottish History Society, Third Series, vol. 51. 1960), pp. 137-146.

and also because the accounts are not complete. Between August 1511 and August 1512 the individual goods were not listed and from 1518-39 the customs were leased. Furthermore, in some years, there were charges on individual vessels which do not list the commodities. In 1513 a payment of £3 18s. was made for certain *cimbarum insule mannie* customed at Whithorn, and three years later a *cimbe Anglie* paid 16s.; similar payments were made in 1511. These could be related to the small re-export trade.

Continental European wares evidently reached the West coast in fairly sizeable quantities. The 1598 import accounts for Ayr, Irvine, and Glasgow show significant imports of bar iron and salt. Wine imports were customed separately, and it appears that it was imported more cheaply than on the East coast.<sup>93</sup> The number of ships involved in the trade, however, may have been relatively small. Whithorn was alleged to have drawn from Wigtown two French or Breton ships per year from 1513 to 1515, three in 1516 and another two per year up to 1533.<sup>94</sup> The allegations suggest these ships were perhaps involved in an opportunistic tramping trade rather than functioning in a pre-planned manner.

The custom accounts in the sixteenth century indicate these wares were rarely re-exported.<sup>95</sup> Admittedly, as has been shown above, the accounts are not complete, and in fact they are considerably less reliable than the East coast burghs' accounts.<sup>96</sup> Even when re-exports appeared, the quantities involved were tiny, and the overwhelming impression is that it was a minuscule trade. This is perhaps not unexpected, for there seems little reason for a re-export trade in European wares to exist. On their way to Scotland ships would pass England and Ireland, the only logical markets for re-exported goods. The complaints against Whithorn re-exporting goods specifically relate to trading with the enemy- English, Irish, or Manx. In more peaceful times this would be a legitimate trade, and complaints would not have been made or recorded. Moreover, if relations between England and France were stable there would be very little reason for the West coast burghs to act as a go-between at all.

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<sup>93</sup> In 1552 Parliament decreed Bordeaux wine arriving at the east and northland seas was not to be sold for more than £20 per tun (or 10d. per pint), and on the West coast £16 per tun (8d. per pint). The upper limit for Rochelle wine was £16 per tun on the East coast, and between £12 to £13 per tun in the west. *A.P.S.*, II, c. 1, p. 483; *R.P.C.*, I, p. 129. Wine evidently was transported from the West to the East coast via Blackness. *T.A.*, IV, pp. 490-1, 493, 495, 497, 499.

<sup>94</sup> This is based on a claim in 1533, although it was stated in 1517 that three ships had been drawn in 1515. *Wigtownshire Charters*, pp. 141-2, 144-5.

<sup>95</sup> Wine appeared at Irvine in 1542 and Ayr 1580-82, 1590, 1594-97, while Dumbarton exported pitch and tar in 1526 and 1596 and lint in 1596. It is possible the pitch, tar, and lint were native produce.

<sup>96</sup> The sixteenth century customs evidence for the West coast burghs is patchy because the customs were commonly leased, customars failed to appear for long periods, and because occasionally the accounts do not list individual goods.

Dumfries's enrolled accounts between 1577-82 are a notable and short-lived exception to this pattern of a minimal re-export trade in European wares. These accounts included a diverse range of goods, such as tar, vinegar, prunes, ginger and pepper, soap, woad, alum, oil, belts, combs, paper, flax, and bonnets. It has been suggested these were imports from England, but each account also contains a separate section for "English goods". It is possible that the English imports sections, that merely give monetary customs, were for small and miscellaneous wares which did not warrant separate entries, while the ginger, prunes etc. were more important imports, but it was the common practice to list all the English wares together. Importantly, the English imports given in 1590, 1593, and 1594 of cloth (kelt, stamin, Yorkshire cloth, worsted, and sky), hooks and scythes, are completely different from the wares in question detailed in 1577-82. These goods are, therefore, assumed to be re-exports, rather than English imports. There seems little point in re-exporting European wares from Scottish to English ports during peaceful periods. There may, however, have been scope for transporting goods by land, to areas just as well (or as poorly) served by Scottish as English ports. The trade, although not big, may not have been as sudden and brief as the accounts suggest. Dumfries did not render any accounts in 1466-1505, 1508-55, 1561-76, and 1583-89, and the 1556-60 accounts may have been only for English imports- the accounts give only English imports, and the customars are specifically described as the customars of English goods *asportorum infra wardariam occidentalem extra Angliam*. This re-export trade does not re-appear in the 1590s, but then neither do exports of wool, herring, and white leather which were also contained in the 1577-82 accounts. Rather than exports of Scottish and European wares suddenly appearing then completely vanishing in the 1590s, it is more likely that the customar's office changed. The customs of the Marches did not appear along with the burghs' customs in the enrolled accounts, so if these commodities were exports into England by land the entry may simply relate to the Marches being included and then excluded again from the Dumfries customar's jurisdiction. Significantly at the time these exports appeared in the custom accounts, 1577-82, the individual customars were resented to the extent of being hounded out of office.<sup>97</sup>

(ii) RE-EXPORTS OF ENGLISH AND IRISH GOODS. The West coast burghs were not restricted to importing Southern European goods. At the close of the sixteenth century Fynes Moryson stated the area imported yarn, cows' hides, and silver from Ireland. It has been seen

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<sup>97</sup> A.L. Murray, "The Custom Accounts of Dumfries and Kirkcudbright, 1560-1660", *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, Third Series, XLII (1965), p. 115.

that cloth, hooks, and scythes were imported from England into Dumfries, and English cloth was taken via Dumfries to Edinburgh for sale.<sup>98</sup> Ayr, Irvine, and Glasgow's 1598 import account, in fact, shows the value of imports from England/Ireland was roughly the same as that of Southern European wares.<sup>99</sup> There was, however, a major difference in these import trades. The European imports were generally in goods that could not be produced on the West coast, such as wine, iron, and great salt, while imports from Ireland and, to a lesser extent, England were similar to Scottish produce, goods which the West coast burghs even exported themselves. Ayr, Irvine, and Glasgow's 1598 import account contains large imports of salmon and hides (480 and 190 lasts respectively), as well as horses, flesh, rabbit skins, butter, lamb skins, shorlings, and fox skins, all of which can be assumed to be Anglo-Irish in origin.<sup>100</sup>

In 1623 Dumfries merchants complained about having to pay double customs on goods imported from Ireland, which were "to be transportit to forayne cuntreys".<sup>101</sup> Re-exporting Irish goods may have had a longer antiquity, especially before imports became customable. Some hide, salmon, or skin exports from the West coast, therefore, may have originated in Ireland. An examination of the currency conditions, the activities of merchants, and the involvement in shipping of both countries would be necessary to fully understand this trade. Re-exports of English goods were less likely to appear in the accounts in this manner. They may have been of a similar type to Scottish exports, but they were not identical. They tended to be of higher quality or in a more finished condition than Scottish exports (e.g. hides were dressed and the cloth a better quality). If any were subsequently exported it would be immediately obvious in the accounts. Scotland's currency weakness would have inhibited imports of direct substitutes.

The peripheral location of the West coast within European trade seriously limited its involvement in the re-export trade during the sixteenth century. Direct contacts seem to have been limited to Southern Europe, England, and Ireland. A re-export trade could be exploited during disputes between England and France, but it is unlikely to have been important, and in more peaceful times it probably did not even exist. The practice, after all, would have

<sup>98</sup> *Early Travellers in Scotland*, p. 87; NAS, E.71/32/10, f. 4v.

<sup>99</sup> The Inward customs, however, do not include wine imports (it paid the Great Impost). English cloth was not included either, imports of which, presumably, did not reach the Clyde. The timber imports are assumed to have come from Europe but they could easily have come from Ireland.

<sup>100</sup> *E.R.*, XXIII, p. 316.

<sup>101</sup> A.L. Murray, "The Custom Accounts of Dumfries and Kirkcudbright", p. 119; *R.P.C.*, XIII, pp. 242, 557-8, 571.



added additional transport, handling, and middleman costs. There may have been an overland re-export trade in these goods to England, if a Scottish port could supply the landward areas more cheaply than English ports. The West coast did re-export Irish and, perhaps, English goods in the early seventeenth century, and this trade could have existed in the sixteenth century too. Since the Scottish exports or re-exported Irish goods were identical and the custom accounts do not make any differentiation, it is impossible to know if this trade existed, let alone assess its scale.

#### (b) Re-exports from the East Coast

Even at its peak, during the 1590s, the re-export trade accounted for only about 10% of the export customs in Edinburgh, Dundee, and Fife (11%, 12%, and 10% respectively). Furthermore, the returns accruing to the country as a whole from re-exports must have been considerably smaller than for a similar volume of domestic exports. This was, however, one of Scotland's more successful export sectors in the sixteenth century. It experienced impressive growth rates while domestic exports, overall, stagnated and declined. Edinburgh's re-export customs increased from just £12 per year between 1513-50, to £377 per year in the 1590s, and at Dundee from £1 per year at Dundee in 1533-66 to £33 per year in the 1590s (Tables 14-3, 14-4, and 14-5).

Re-exports first appeared in the custom accounts during the reign of James III, although it is not certain that they were always customed. In 1479, for instance, wine and alum were sent from Leith to Copenhagen and Elsinore but they do not appear in the custom account,<sup>102</sup> although the account contains import customs on these commodities. Re-exports appear slightly more frequently during James IV's reign, and more so in the forty years following his death. Pitch and tar were the first regular re-exports, and soap and ashes, wine and glass followed suit from the late 1520s. These goods represented the bulk of the re-export trade. They accounted for nearly 80% of the re-export customs at Edinburgh in 1513-50, and 60% at Dundee in 1533-66. In addition, there were one-off re-exports, which occasionally involved substantial quantities. In 1511 Edinburgh's wax customs were over £100, Dundee's sugar customs in 1546-47 accounted for 40% of all their re-exports in the period 1533-66, and Edinburgh's woad and pepper exports in the September 1546-August 1550 account amounted to 13% of all their re-exports from 1513-50. Generally, however, the whole trade is best characterised as being small and irregular. Nonetheless, the accounts in

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<sup>102</sup> D. Ditchburn, "Trade with northern Europe, 1297-1540" in M. Lynch *et al.* (eds.), *The Scottish Medieval Town* (Edinburgh, 1988), p. 167.

this period must be treated with care. They do not distinguish re-exports from domestic produce. During the 1520s, for instance, the accounts may have listed great salt, a definite re-export, along with the domestic small salt exports, while up to 1513 it is sometimes impossible to identify which goods were re-exports and which were English imports. Moreover, there is also a suspicion that re-exports were not always customed. Edinburgh's 1513 entry-account recorded a puncheon of tar sent to Veere, and a credil of glass to Danzig, but neither appeared in the corresponding enrolled account.<sup>103</sup>

The re-export trade continued to grow in the third quarter of the sixteenth century (Tables 14-3, 14-4, and 14-5). Edinburgh's annual average re-exports increased five-fold in the period 1513-50 to 1550-72. Exports of established goods, such as timber by-products, wine, and glass doubled. The fastest growth was experienced by new commodities, such as flax and hemp, salt, and victual. Their low starting point partly explains this statistic, but they rose to become major items in their own right, and together they accounted for 13.5% of Edinburgh's re-exports 1550-72. Exports of woad, brazil, and dried fruit likewise became more regular. The substantial irregular exports, which were large enough to seriously skew the figures continued. Over a third of Edinburgh's re-exports between 1550-72 can be attributed to only four entries.<sup>104</sup>

Virtually all the re-export trades expanded in the 1570s (the only exceptions being textiles and miscellaneous manufactures and metal at Edinburgh) and new trades became established or appeared more regularly, particularly timber, wax, tallow, sweet wines, great salt, rye, and dried fruits. Edinburgh continued to dominate, although the trade diversified into new areas. Dundee's involvement became more significant and the Fife burghs also began to engage in the trade (although their accounts are incomplete). The re-exported wares were more likely to have originated in Northern rather than Southern European. At Edinburgh, Baltic wares, timber and its by-products, and victual, accounted for 55% of re-export customs compared with 43% for wine, great salt and groceries/dyes; at Dundee the northern products were 75% and at Fife 45%. This pattern changed dramatically in the 1590s. Northern wares expanded greatly, especially in the less established goods such as wax, timber, victuals, metals, tallow, and flax. Interestingly, timber by-products declined.

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<sup>103</sup> NAS, E.71/29/3, ff. 4, 8. The exact nature of this particular account, however, is not entirely clear. Custom measures or values are not given; it could be a freight or searchers' account.

<sup>104</sup> Groceries and dyes, and textiles and miscellaneous manufactures comprised over half of Edinburgh's re-exports 1550-72. The linen and canvas in 1551, the cards, paper and hemp the following year and the two entries for sugar in 1561-63 totalled £333, and accounted for over 70% of these categories' exports.

The absolute volumes of Southern wares and their proportion of trade fell to 7% at Edinburgh, 1% Dundee, and 2% Fife.

During the second half of the sixteenth century, the nature of European trade changed. The Dutch-Spanish conflict (1560s and 1570s) finally completed the demise of Antwerp as Europe's entrepôt, although even before this, nations like England had increasingly favoured direct commercial contacts. Scotland was similarly involved, and increasing numbers of her ships and merchants travelled further. A direct trade with Spain existed from the 1590s, albeit because the Scots exploited the Anglo-Spanish wars.<sup>105</sup> More importantly, along with other nations, from the 1550s Scotland sent an increasing number of ships to the Baltic, a practice which increased in the 1570s. The waning power of the Hansa allowed this trade, but the prime stimulus was to secure industrial raw materials and, in times of necessity, food.<sup>106</sup> At the same time Scotland increasingly re-exported goods which originated in the Baltic. Wax, pitch and tar, iron, and flax exports rose appreciably. Tallow and timber also expanded though they, especially the latter, were more likely to have been Norwegian in origin. The connection between re-exports and direct commercial contact with the Baltic is not surprising, but it is noteworthy that the expansion in re-exports of wares from the Baltic does not seem to be paralleled by a similar rise in their import. Edinburgh accounted for over 80% of Scotland's re-exports, and her exports of flax, iron, pitch and tar, and ashes and soap re-exports increased four times from the 1560s to the 1590s. Lythe's estimates for these commodities carried from the Baltic in Scottish ships (reckoned, by Lythe, to account for three-quarters of the ships travelling from the Baltic to Scotland) fell

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<sup>105</sup> Fynes Moryson declared that while the English were at war with Spain, the Scots as neutrals carried English commodities into Spain. *Early Travellers in Scotland*, p. 87. See also S.G.E. Lythe, *The Economy of Scotland*, pp. 186-90. The Spanish trade was of some importance; John MacMorran, a leading Edinburgh merchant, exported victual to Spain, while the Dundee merchant David Wedderburne exported linen cloth in 1597 to Spain and wheat two years later. *The History of the Kirk of Scotland by D. Calderwood*, edited by T. Thomson (Edinburgh: Wodrow Society, 8 vols., 1842-69), V, p. 382; *Wedderburne's Compt Buik*, pp. 71, 114.

<sup>106</sup> Lythe noted that during times of dearth the number of Scottish ships entering the Baltic in ballast and departing with grain and virtually nothing else rose appreciably. Certainly in years of Scottish dearth there is an absence of Baltic goods being re-exported (see in particular the collapse of Edinburgh's re-exports of flax and wax in 1596). Lythe, however, overstates Wedderburne's involvement in grain purchases. He claims the Dundee merchant sent coin to the Baltic each year 1595-97, with instructions to purchase rye or peas. In fact, in only one case were purchases of victual actually referred to; money was to be spent on rye if it was within 48 gudlenis, otherwise lint was to be purchased. In another example, the instructions were clearly to purchase Sweden's "gad" iron and osmunt. More generally, Wedderburne tended to send both goods and money to the Baltic to secure imports. S.G.E. Lythe, *The Economy of Scotland*, p. 163. *Wedderburne's Compt Buik*, pp. 46, 68, 71-3, 113, 122, 128, 171, 173.

by nearly a quarter in the same period (from 641 lasts to 503 lasts on average per year).<sup>107</sup> Perhaps a higher percentage of imports were being re-exported, or more of the goods in the Scottish ships actually came to Scotland, or perhaps the role played by foreign ships was significantly different. It may simply cast doubt on the wisdom of using ships' registration as an indicator of the intended destination.<sup>108</sup> More importantly, the proportion of the imports that were subsequently exported was minuscule.

At the close of the sixteenth century Edinburgh continued to dominate the re-export trade, although other burghs were becoming involved. The trade represented a small, though far from insignificant, share of Scottish exports but its most impressive feature is the scale of growth. The range of goods which were regularly re-exported had expanded greatly, and the trade was increasingly focused on goods which, it is assumed, originally came from Northern Europe.<sup>109</sup>

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<sup>107</sup> Figures for the shipments from the Baltic have been taken from S.G.E., Lythe, "Scottish Trade with the Baltic", p. 78.

<sup>108</sup> This is further highlighted by comparing the shipments in Scottish ships with imports coming into Scotland. The annual average shipments in Scottish ships in the 1590s was 147 lasts of iron and 140 lasts of flax and hemp. These figures seem very low, for the burghs between Stirling and Montrose, imported, in 1598, 123 lasts of iron and 74 lasts of flax and hemp. *E.R.*, XXIII, pp. 315-21.

<sup>109</sup> When considering and assuming, rather than proving, Scotland's bi-lateral trade deficit with the Baltic, Lythe did not take into account that some of the wares would subsequently be re-exported and that, presumably, some were simply being carried in Scottish ships. Shipping and mercantile activities may have had a positive effect on the balance of trade, even though the Privy Council in 1619 stated foreigners' freight rates for the "Easterland" trade were considerably cheaper than Scottish ones. S.G.E. Lythe, "Scottish Trade with the Baltic", p. 83; *R.P.C.*, XII, pp. 107-8.

**Table 14-3: Edinburgh's Annual Average Re-export Customs, 1513-98**

Period	Timber & Timber Prods.		Baltic Wares		Wine*		Salt		Victual		Groceries & Dyes		Metals*		Textiles & Misc. Manus.		Total
	£	%	£	%	£	%	£	%	£	%	£	%	£	%	£	%	£
Aug/13-Aug/50	6.2	52%	0.3	3%	2	17%	0	0%	0	0%	1.7	14%	0.6	5%	1.1	9%	11.9
Aug/13-Aug/72	11.8	19%	5.6	9%	7.6	12%	3.3	5%	1.8	3%	19.5	31%	1.4	2%	12.7	20%	63.6
Aug/73-Oct/82	25.2	23%	32	29%	14	13%	10.8	10%	2.9	3%	22.1	20%	0.5	0%	1	1%	109
Oct/89-Dec/98	60.4	16%	218	58%	9.5	3%	6.3	2%	40.7	11%	8.3	2%	26.7	7%	6.9	2%	376.6

Source: Custom accounts, Appendix 1, pp. 410, 413, 416.

**Table 14-4: Dundee's Annual Average Re-export Customs, 1533-98**

Period	Timber & Timber Prods.		Baltic Wares		Wine*		Salt		Victual		Groceries & Dyes		Metals*		Textiles & Misc. Manus.		Total
	£	%	£	%	£	%	£	%	£	%	£	%	£	%	£	%	£
Sep/33-Sep/66 <sup>1</sup>	0.5	50%	0	0%	0.1	10%	0	0%	0	0%	0.4	40%	0	0%	0	0%	1
Oct/73-Oct/82	8.4	47%	4.9	28%	0.6	3%	1.1	6%	0.1	0%	1.6	9%	0.7	4%	0.4	2%	17.7
Oct/89-Dec/98	23.9	72%	9.2	28%	0.2	1%	0.1	0%	0	0%	0	0%	0	0%	0	0%	33.4

<sup>1</sup> Not including the period in tack period between October 1552 and September 1554.

Source: Custom accounts, Appendix 1, pp. 386, 388, 390.

**Table 14-5: Fife's Annual Average Re-export Customs, 1589-99<sup>1</sup>**

Period	Timber & Timber Prods.		Baltic Wares		Wine*		Salt		Victual		Groceries & Dyes		Metals*		Textiles & Misc. Manus.		Total
	£	%	£	%	£	%	£	%	£	%	£	%	£	%	£	%	£
Oct/89-Jul/99 <sup>2</sup>	37.7	70%	4.9	9%	0.3	1%	0.8	1%	7.8	14%	0	0%	2.3	4%	0	0%	53.9

<sup>1</sup> The Fife ports rendered re-export customs of £8.2 between December 1569 and October 1582 (except 1573) [Timber 720d. (37%); Baltic Wares 150d. (8%) and Wine 1,104d. (56%)]. However there are a number of gaps in the accounts which hinder analysis; missing from the calculations are St Andrews, Kirkcaldy, Kinghorn, Dysart 1570-73, Cupar to 1573, Culross to 1581 and Burntisland 1570-72.

<sup>2</sup> Not including Burntisland up to July 1596, and only Kirkcaldy's 1593 account (320d. for metal).

Source: Custom accounts, Appendix 1, pp. 363, 366, 393-4, 429, 440-1, 473-4, 477.

\* Wine customs have been altered to discard the five fold increase in custom duty in the early 1580s (the only known rise in custom duty). The lead exports, which are assumed to be domestic exports, have not been included.



## C. INFERENCES

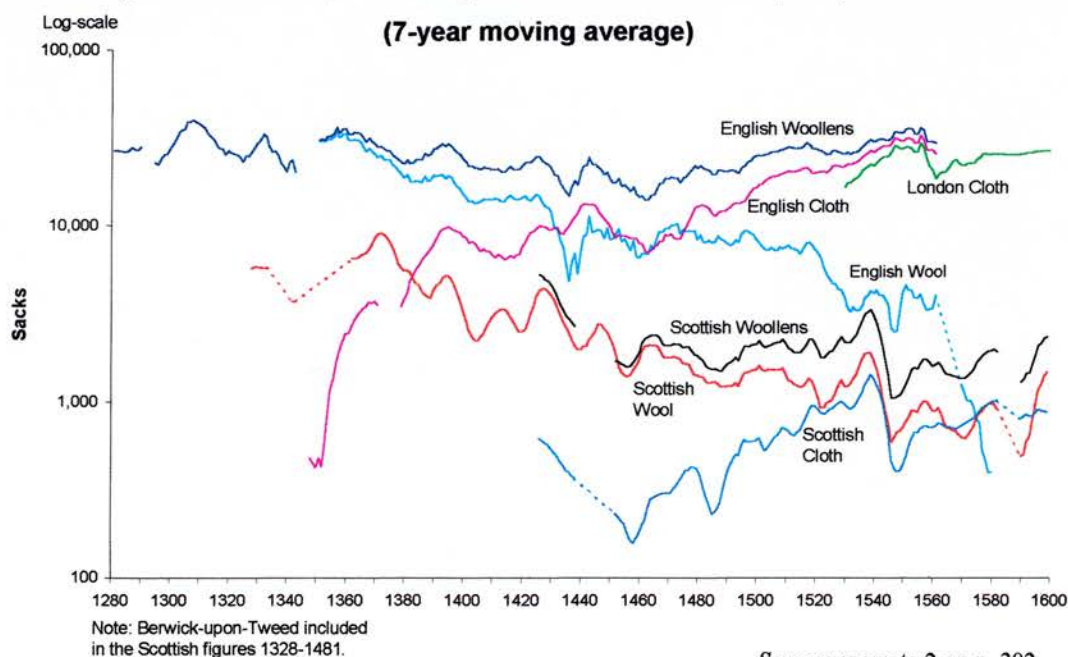
## CHAPTER 15

### SCOTTISH AND ENGLISH EXPORT TRENDS, 1300-1600<sup>1</sup>

Custom records are the only long-term quantitative source relating to the medieval and early modern economy of Scotland. Apart from anecdotal evidence, little else is known about it so attempting to analyse the country's overseas trade, with our present knowledge of the dynamics of agriculture, manufacturing, the capital and labour markets, consumption habits, and population size almost entirely wanting, would be foolhardy. Nevertheless, by using the amended custom figures listed in Appendices 1-3, and putting the information into perspective by a comparison with the (better documented) situation in England, it is possible to examine the main exports trends, and throw some light on Scottish overseas trade patterns.

The following chapter is included to demonstrate, in some detail, how this can be put into practice.

**Figure 15-1: Scottish and English Wool and Cloth Exports, 1280-1600**  
(7-year moving average)



<sup>1</sup> This chapter is based on a short paper presented to the New Researchers Sessions at the Economic History Society Conference in Bristol, 2000. The export figures have been amended slightly.

## I. 1300-1362

Exports from Scotland and England were dominated by woollens; raw wool (shorn wool and woolfells, which, unless otherwise stated, will simply be referred to as wool) and woollen cloth. These trades are shown in Figure 15-1, although it should be noted that none of the variety of miscellaneous sheep skin exports has been included due to deficiencies in export data in both countries.<sup>2</sup> Coinciding with a phase of contraction in European commerce, England's annual wool exports fell from over 40,000 sacks in the second half of the 1310s, their highest ever recorded levels, to around 30,000 sacks in 1328-33, and a decade later to only 20,000 sacks.<sup>3</sup> Scottish export figures are available only in 1328-33 and 1342-43, when annual wool exports fell from 5,750 sacks to 3,660 sacks. They remained slightly less than a fifth of the English level.<sup>4</sup> As with English wool exports, the amount of Scottish wool is likely to have been higher earlier in the century. It may even have suffered more of a decline, as the major Low Countries textile towns, faced with a contraction in European trade, increasingly concentrated on cloths made exclusively from fine English wool to the

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<sup>2</sup> The English export figures have been derived from E.M. Carus-Wilson and O. Coleman, *England's Export Trade 1275-1547* (Oxford, 1963); J.D. Gould, *The Great Debasement: Currency and the Economy in Mid-Tudor England* (London, 1970), p. 136; F.J. Fisher, "Commercial Trends and Policy in Sixteenth Century England" in E.M. Carus-Wilson (ed.), *Essays in Economic History* (London, 1955), p. 153; and E.E. Rich, *The Ordinance Book of the Merchants of the Staple* (Cambridge, 1937), pp. 61, 67-8. The methodology used by Gould (note on p. 121) for adjusting figures to ensure they cover equal time periods, for estimating missing entries and for converting cloth into their wool equivalent has been used for all the English figures. For the Scottish figures and methodology see pp. 336-41, 486-8, 490-615, 616-8 below. Poorly represented areas in both countries have been omitted entirely. For the English omissions see *England's Export Trade*, pp. 175-7. In Scotland, there are no surviving figures at all for exports from Dunfermline, Kirkcaldy, and Glasgow, while those of Cupar, St Andrews, ports north of Aberdeen and the Solway ports have not been included. Berwick-upon-Tweed switched between Scottish and English rule; the burgh's wool exports in 1328-1481, regardless of ownership, have been included only in the Scottish totals. Elsewhere in this study the burgh's other exports have been omitted entirely.

<sup>3</sup> Europe was affected by a severe silver famine in the second quarter of the fourteenth century as central European silver production declined sharply. J.U. Nef, "Mining and Metallurgy in Medieval Civilisation" in M.M. Postan and E. Miller (eds.), *The Cambridge Economic History of Europe*. Vol. II, *Trade and Industry in the Middle Ages* (Cambridge, 1987), p. 721; P. Sufford, *Money and its Use in Medieval Europe* (Cambridge, 1988), p. 121. For the impact of the contraction in international demand on the Netherlands textile industry see H. van der Wee, "Structural Changes and Specialization in the Industry of the Southern Netherlands, 1100-1600", *Economic History Review*, Second Series, XXVII (1975), pp. 207-9; J.H. Munro, "The Origins of the English 'New Draperies': The Resurrection of an old Flemish Industry, 1270-1570" in N.B. Harte (ed.), *The New Draperies in the Low Countries and England, 1300-1800* (Oxford, 1997), p. 81.

<sup>4</sup> In 1333 Berwick-upon-Tweed, Scotland's most important port, was captured by the English. The port's wool exports in 1328-1481, regardless of possession, are included in the Scottish total figures.

detriment of local, Scottish, and Irish wool.<sup>5</sup> It should be remembered, however, that the Scottish wool trade must have suffered considerable disruption at the start of the century during the Wars of Independence.

## II. 1362-75

In the third quarter of the fourteenth century European commerce was buoyant.<sup>6</sup> The figures for Scottish exports after 1362 show the country shared in this prosperity. Wool exports between 1362-75 reached their highest-ever recorded levels, and at their peak, in the early 1370s, nearly 9,500 sacks of wool were being exported each year.

A fall in English wool exports from the early 1360s may have given a further stimulus to Scottish wool. By and large, the two countries' wools were not direct substitutes. Scottish wool tended to be a coarse quality similar in type to northern English wool and probably only the very best was comparable with good English wool.<sup>7</sup> The introduction and strict enforcement of the Staple of Calais from 1363, however, ensured foreign consumers were burdened with the rising English wool prices, and bore the brunt of the high wool taxes.<sup>8</sup> To escape the strict requirements, and so ensure wool was not priced out of the market, northern English wool was smuggled into Scotland to be exported. The Scottish export figures include around 400 sacks of English wool per year in 1363-69 and over four times this amount in 1373-74. Once Berwick-upon-Tweed secured reductions in custom

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<sup>5</sup> J.H. Munro, "The Origins of the English 'New Draperies'", p. 67. H. van der Wee, "Structural Changes and Specialization...", p. 209.

<sup>6</sup> The scarcity of bullion in Europe was temporarily relieved by a rapid increase in production in the Bohemian silver mines, and an increased output of gold in Bohemia, Silesia, and Hungary, while high mortality rates, caused by plague, raised the supply of bullion per head of population. J.U. Nef, "Mining and Metallurgy in Medieval Civilisation", p. 721.

<sup>7</sup> In the early fourteenth century Scottish wool was priced similarly to northern English wool. Francesco Balducci Pegalotti, *La Practica della Mercatura*, edited by A. Evans (Cambridge, Mass., 1936). Later a Leyden ordinance classed northern English and Scottish wool together, due to their inferior quality. E. Power, "The Wool Trade in the Fifteenth Century" in E. Power and M.M. Postan (eds.), *Studies in English Trade in the Fifteenth Century* (London, 1951), p. 43. The very best Scottish wool, however, was used in the Netherlands traditional drapery ca. 1500. I. Blanchard, "Northern Wools and the Netherlands Markets at the Close of the Middle Ages" in G.G. Simpson (ed.), *Scotland and the Low Countries 1124-1994* (East Linton, 1996), p. 79.

<sup>8</sup> For fuller discussions on the Staple of Calais and its impact on the wool trade see J.H. Munro, *Wool, Cloth and Gold: the Struggle for Bullion in Anglo-Burgundian Trade, 1340-1478* (Toronto, 1973); T.H. Lloyd, *The English Wool Trade in the Middle Ages* (Cambridge, 1977); and E. Power, *The Wool Trade in English Medieval History* (Oxford, 1955).

duties and exemptions from the staple requirements, this illicit trade plummeted to a minuscule proportion. More importantly, the over-pricing of English wool, and a 16% devaluation in the Scottish currency in 1367, improved sales of Scottish wool. In 1367-77 Scottish native wool exports amounted to almost a third of the English level.<sup>9</sup>

### III. 1375-1465

1375-1465 was a period of stagnation and decline in European commerce, relieved only by a brief upturn in 1424/32-1455.<sup>10</sup> The impact on the wool trades was dramatic. Scottish and English wool exports underwent a long, sustained, and almost identical decline. By 1462-67 both countries' wool exports had fallen by over two-thirds.

Faced with a contraction in European demand and increased competition, especially from England, the Low Countries' cloth producers concentrated on their comparative advantage in the production of high quality cloth. This allowed maximum utilisation of their skilled manpower, and kept the price of raw materials as a proportion of total cost to a low level. This logical move, given the prevailing circumstances, increased the traditional urban cloth producers' dependence on imports of fine English wool.<sup>11</sup> As a result it was only in periods of crisis in the Anglo-Netherlands wool trade that producers, in a practice officially frowned upon, resorted to Scottish wool, the cheaper, poorer quality alternative. During these conditions, as in 1392-98<sup>12</sup> and, perhaps, 1408-17/8,<sup>13</sup> Scottish wool exports

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<sup>9</sup> Scottish customs increased four-fold in 1357-68 to 26s. 8d. Scots per sack. This was small compared with the English duties, at 40s. or 53s. 4d. Sterling per sack. The disparity was widened further following the Scottish devaluation in 1367. Tax as a percentage of value was likely to have been lower in Scotland, but since Scottish wool was generally cheaper the disparity was not as great as the straight monetary customs. The relatively informal sales organisation, moreover, ensured the rise in Scottish customs was less likely to be passed on to the foreign consumer.

<sup>10</sup> European trade contracted as a result of widespread shortages of gold and silver and in 1392-1412 and 1455-63 there were severe monetary crises. J. Day, "The Great Bullion Famine of the Fifteenth Century", *Past and Present*, no. 79 (1978); I. Blanchard, "The Long Sixteenth Century," circa. 1450-1650" (forthcoming); J.U. Nef, "Mining and Metallurgy in Medieval Civilisation", p. 722.

<sup>11</sup> H. van der Wee, "Structural Changes and Specialization...", pp. 209-10.

<sup>12</sup> Following the devastating civil war in Flanders, 1379-85, Scottish wool exports had a brief upswing in the 1390s, peaking in 1392-98. Scottish wool had a price advantage following a devaluation in the Scottish coinage in 1390/3. Combined with the strengthening of the Flemish groat in 1389/90, and a famine in the Low Countries in 1391-95, this may have stimulated imports of the relatively cheap Scottish wool. Certainly the traditional cloth manufacturing towns felt the need to enact bans against the use of Scottish wool in high quality cloth. Meanwhile, a fall in the domestic price of English wool may not have been transferred to foreign markets as a result of high taxes and the Stapler's cartel. J.H.



experienced cyclical peaks and their level as a percentage of English exports grew. This did not, however, alter the long-term decline.

The situation was not dramatically altered in the second quarter of the fifteenth century despite a recovery in European commerce in 1425/32-55. Nor was there an immediate impact from the move by smaller towns and rural areas in the Netherlands towards producing imitation luxury cloths using native, Scottish, Spanish, and cheaper English wool.<sup>14</sup> Scottish wool exports continued to fall, although perhaps not so quickly as they might have done, and experienced cyclical peaks only in 1424-39 and 1444-50,<sup>15</sup> and in 1460-65<sup>16</sup> which correspond with stoppages and disruptions in the Anglo-Netherlands wool trade.

Nothing halted the long-term decline in Scottish and English wool exports, 1365/74-1465, in this period of contracting European demand and the rising competition faced by the Netherlands cloth producers, the main wool import consumers. During short-term crises in the Anglo-Netherlands wool trade, Scottish wool exports rose, despite the wool not being a direct substitute for the more desirable finer English wool. Scottish wool exports experienced cyclical peaks and their exports as a percentage of English exports rose in

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Munro, *Wool, Cloth and Gold*, pp. 46, 50; W.W. Scott, "Sterling and the Usual Money of Scotland: 1370-1415", *Scottish Economic and Social History*, V (1985). A.W.K. Stevenson, *Trade Between Scotland and the Low Countries in the Later Middle Ages* (unpublished Aberdeen Ph.D. thesis, 1982), p. 21. J.H. Munro, "The Origins of the English 'New Draperies'", p. 67. The boom in Scottish wool exports collapsed as the severe European monetary crisis ca. 1395-1415 ran its course, and was further hindered by warfare on land and sea around the South East of Scotland in the early years of the fifteenth century.

<sup>13</sup> Scottish and English wool exports expanded as the severe monetary crisis ca. 1395-1415 eased off; in England the 1411 debasement gave an additional boost. The Scottish figures may under-represent the level of exports as smuggling and custom evasion were commonplace under the weak Albany Regency. The customars recorded the uncustomed goods as best they could, and these figures have been included in the export totals, but, as they admitted in 1417, the incidence of unrecorded goods was higher.

<sup>14</sup> H. van der Wee, "Structural Changes and Specialization...", p. 211-2; D.C. Coleman, "An Innovation and its Diffusion: the 'New Draperies'", *Economic History Review*, Second Series, XXII, (1969), p. 422; J.H. Munro, "The Origins of the English 'New Draperies'", pp. 37-48.

<sup>15</sup> The Calais Staple Partition and the Bullion Ordinance of 1429, and the Anglo-Burgundian war had a significant impact on the collapse in English wool exports in the 1430s and 1440s. J.H. Munro, *Wool, Cloth and Gold*, pp. 84-182; T.H. Lloyd, *The English Wool Trade*, pp. 257-81.

<sup>16</sup> Scottish wool exports experienced a cyclical peak in 1460-65, despite the severe monetary crisis in 1455-63, prospering partly from the English civil war in the first half of the 1460s and the English attempts to re-introduce tough bullion requirements on overseas wool sales. In 1464-65 England devalued her coinage, the first time since 1411, and shortly afterwards Staple ordinances were removed in practice (although not formally until 1473). The brief flourishing in Scottish wool exports ended.

1392-98, (1408-17/18), 1424-39, 1444-50, and 1460-65. This should not, however, be exaggerated. Each cyclical peak was smaller than the last,<sup>17</sup> and once normal conditions in the Anglo-Netherlands wool trade resumed, exports slumped.

Scottish and English woollen cloth exports are also given in Figure 15-1. The figure shows the quantity of wool exported as cloth, and makes no allowance for the higher value of wool in the form of cloth.<sup>18</sup> English cloth exports grew rapidly, particularly during crises in the Anglo-Netherlands wool trade, so that by the middle of the fifteenth century they were roughly equivalent to wool exports. English cloth came to dominate the contracting European market because her cloth producers had access to fine English wool at a highly competitive price, compared with foreign manufactures who had to buy highly taxed, exported English wool.<sup>19</sup> Moreover, the rural nature of the English industry also allowed labour costs to be kept to a minimum.<sup>20</sup> The rise in cloth exports softened the blow of the declining wool exports. It did not, however, compensate for their fall, and total woollen exports continued to decline. English non-woollen exports were insignificant, and where individual trades can be determined they appear to have been in decline by the middle of the fifteenth century.<sup>21</sup> The collapse in English wool exports in the century to 1465 in effect

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<sup>17</sup> The wool export boom in 1424-39 was higher than in 1408-17/18, but there is likely to have been a higher incidence of smuggling in the earlier period.

<sup>18</sup> 4¼ English cloths of assize are reckoned to contain the same quantity of wool as a sack of wool. J. Gould, *The Great Debasement*, p. 121. Allowance has been made for a duty free wrapper for every ten shortcloths exported from England after 1558. G.D. Ramsay, *The English Woollen Industry, 1500-1750* (London, 1982), pp. 59-60. English worsteds have not been included since the custom returns are of limited use in determining their export levels. Exports of worsteds were a minuscule proportion of the English cloth trade, and consequently their exclusion does not have any significant impact. Scottish dozens are assumed to contain the same quantity of wool as a northern English dozen, except that a Scottish dozen was slightly smaller (a Scottish ell was 16.6% smaller than an English ell.). Two northern narrow dozens were equivalent to a cloth of assize. T.S. Willan, *The Tudor Book of Rates* (Manchester, 1962), pp. xv, 74; R.E. Zupko, *A Dictionary of Weights and Measures for the British Isles: the Middle Ages to the Twentieth Century* (Philadelphia, 1985), p. 119. For a broadly similar estimate of the wool content of Scottish cloth (30 lbs. of wool per dozen of cloth, rather than 37.3 lbs.) see E. Gemmill and N. Mayhew, *Changing Values in Medieval Scotland: A Study of Prices, Money, and Weights and Measures* (Cambridge, 1995), pp. 372-3. The cloth export figures presented by Gemmill and Mayhew do not, however, take into consideration the different widths of custom cloths.

<sup>19</sup> The high tax on wool exports, ca. 30-35% of its value, compared with the low cloth export duty, ca. 3%, gave English cloth producers a significant price advantage over foreign manufactures using English wool.

<sup>20</sup> See, for instance, E.M. Carus-Wilson, "The Woollen Industry" in M.M. Postan and E. Miller (eds.), *The Cambridge Economic History of Europe. Vol. II, Trade and Industry in the Middle Ages* (Cambridge, 1987), pp. 674-78.

<sup>21</sup> In 1304-9 aliens alone exported 2,340 dickers of hides per year from England; in 1446-82 only 83.3 dickers were exported annually by all merchants. English tin production plummeted in 1415-65 and exports are likely to have followed suit. Newcastle exported over 7,000 chaldrons of coal in 1378 and

meant a decline in England's total trade. The fall was softened, but not reversed, by periods of rapid growth in cloth exports.

Customs on Scottish cloth exports were levied only in 1426-38 and from 1452,<sup>22</sup> and these particular custom figures must be treated with a great deal of care.<sup>23</sup> It is clear, however, that the export performance of Scottish cloth was incredibly poor. Compared with England only very small quantities were exported. In 1452-61 Scottish cloth exports were only 2% of the English level, whereas Scottish wool exports, at the same time, were 17% of English wool.<sup>24</sup> The shift from wool to cloth exports was also very weak in Scotland; Scottish cloth accounted for only 11% of the woollen exports, whereas in England it was 52%. Scotland's relatively poor performance in cloth exports would remain, and even at the end of the sixteenth century more raw wool was shipped than wool in the form of cloth. Furthermore, Scotland continued to import foreign cloth.<sup>25</sup>

Considerably more research must be undertaken before we can even begin to understand the medieval Scottish cloth industry. There are, however, a number of factors which may be significant in helping to explain the relative failure of Scottish cloth exports and presumably cloth production. As in England, raw wool was taxed more heavily than the

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nearly 5,000 four years later. The next available figure, in 1466, was for nearly 2,000 chaldrons of coal. The decline is only slightly less severe if Nef's often criticised converted ton figures are used. H.L. Gray, "Tables of Enrolled Customs and Subsidy Accounts, 1399 to 1461" in E. Power and M.M. Postan (eds.), *Studies in English Trade in the Fifteenth Century* (London, 1951), note on p. 361; E. Miller and J. Hatcher, *Medieval England, Towns, Commerce and Crafts, 1086-1348* (London, 1995), p. 213; J. Hatcher, *English Tin Production and Trade Before 1550* (Oxford, 1973), p. 116; J.U. Nef, *The Rise of the British Coal Industry* (London, 2 vols., 1932), II, appendix d.

<sup>22</sup> There are references to Scottish cloth exports before this. The West coast was said to have a prosperous woollen cloth trade following the Wars of Independence. In 1398 there was a failed attempt to introduce customs on cloth exports, while in 1405 there was a Flemish ban on the import of Scottish cloth. D. Murray, *Early Burgh Organisation in Scotland*. Vol. II, *Rutherglen, Lanark, Prestwick, Newton-upon-Ayr, Ayr* (Glasgow, 1932), p. 534; A.W.K. Stevenson, *Trade Between Scotland and the Low Countries*, p. 26; see also Chapter 7, pp. 165-7.

<sup>23</sup> See Chapter 7, pp. 165-80 and the methodology listed in Appendix 1, pp. 338-9.

<sup>24</sup> Berwick-upon-Tweed has been omitted entirely from these calculations since figures for the burgh's cloth exports are not available. It should also be noted that the Solway ports have not been included in any of the Scottish figures, due to the sporadic and irregular appearance of their custom accounts. The performance of their cloth exports in relation to wool exports was considerably better than the Scottish trend. Their small absolute quantities, however, mean that even if included, they would have no bearing on the Scottish totals.

<sup>25</sup> Throughout the fifteenth and sixteenth centuries there are numerous references to woollen cloth imports. See for instance *A.P.S.*, II, pp. 24, 105; IV, p. 119; and *R.P.C.*, II, pp. 374-5; IV, p. 682. In *Halyburton's Ledger* woollen cloth accounted for about 20% of the value of his purchases in the Netherlands.

equivalent quantity of wool manufactured into cloth. The disparity in Scotland, however, was not so marked,<sup>26</sup> but it is unlikely to have had any real bearing on the relative failure of Scottish cloth exports. The Scottish commercial cloth industry may have retained its urban character for longer than in England. In the early part of the sixteenth century, Hector Boece noted that in Dundee there were “mony virtewus and lauborius pepill” employed in making cloth,<sup>27</sup> although it is not possible to speculate on the nature of the cloth industry on such flimsy evidence. The real failure may simply be a result of a deficiency in demand. The coarseness and poor quality of Scottish cloth must have seriously restricted its international appeal. It may have found a limited market with the urban poor in Flanders,<sup>28</sup> but in general most European areas in the fourteenth and fifteenth centuries were largely self-sufficient in cheaper cloths.<sup>29</sup>

Scottish cloth exports remained insignificant and in no way compensated for the decline in wool exports. The same was equally true for non-woollen exports. Hide exports largely followed a similar pattern to wool. Export figures for miscellaneous fells are available for only two years, in 1435 and 1437. They were in total roughly equivalent to woolfell exports, and were of little significance compared with wool. The only salmon to be customed was that shipped by foreigners, and Englishmen in particular. The quantities they exported were relatively large in the 1420s and 1430s, yet even when allowance for native exports is made,<sup>30</sup> it represented only a small proportion of total trade. Wool exports accounted for virtually all of the country’s exports, and unlike the situation in England, there was nothing to soften their collapse in the century to 1465.

<sup>26</sup> In Scotland a sack of wool paid 26s. 8d. in customs, while cloth containing a sack-weight of wool paid 10s. 4d. In England the customs on a sack was between 40s. and 53s. 4d., while cloth containing a sack of wool paid 4s. 11½d. Since cloth was more valuable than the equivalent weight of wool, the tax differentials, in both countries, were actually greater.

<sup>27</sup> *Scotland Before 1700 from Contemporary Documents*, edited by P. Hume Brown (Edinburgh, 1893), p. 77. The commercial cloth industry did in fact have some form of rural expansion. In the 1580s and 1590s the councils in Edinburgh and Dundee issued acts prohibiting the weavers and waulkers in their suburbs and neighbouring districts from infringing the rights of the burghs’ craftsmen. A.J. Warden, *Burgh Laws of Dundee, with the History, Statutes, and Proceedings of the Guild of Merchants and Fraternities of Craftsmen* (London, 1872), pp. 511-5.

<sup>28</sup> J.A. van Houtte, “The Rise and Decline of the Market of Bruges”, *Economic History Review*, Second Series, XIX (1966), p. 35; A.W.K. Stevenson, *Trade Between Scotland and the Low Countries*, pp. 41, 100, 158.

<sup>29</sup> D.C. Coleman, “An Innovation and its Diffusion”, p. 421; H. van der Wee, “Structural Changes...”, pp. 209-210.

<sup>30</sup> In 1438 and 1445 native salmon exports from Aberdeen were listed, but not customed. They accounted for 56% of salmon shipments.

#### IV. 1465-1560

The English export performance was impressive in the century after 1465, a period in which European commerce expanded.<sup>31</sup> Non-woollen exports, such as lead, tin, and hides, increased though even cumulatively they are likely to have remained a minor proportion of total trade.<sup>32</sup> The decline in wool exports was temporarily halted. They stabilised around 8,000 sacks per year, before halving in the early 1520s. For the next forty years, no doubt hindered by domestic wool price rises, they remained at the same level. Cloth exports increased substantially, in short phases of very rapid growth. At their peak, in the 1540s, annual cloth exports were four times greater than in 1460-75. As a result, woollen exports increased, and by the time of the "Great Debasement" inspired boom of the 1540s, they had returned to the high levels experienced in the middle of the fourteenth century.

In Scotland the situation was somewhat different. The long-term decline in Scottish exports was halted from the mid-1460s, but for the following century, except for a huge boom and immediate slump in the 1530s and 1540s, Scottish export levels remained basically static.

A gradual downward descent in Scottish wool exports replaced the previous period's sharp contraction. Within this trade an expansion in woolfells nearly compensated for the heavy fall in shorn wool. Woolfells accounted for 9% of wool exports in 1465-68, 16% in 1479-82, and 33% by the early 1540s. In England there was a similar, if slightly faster, rise in woolfells; 15%, 27%, and 50% in the same periods. Woolfells were increasingly exported for use in the production of cheaper, lighter, semi-worsted cloths, a

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<sup>31</sup> Technical developments in refining silver, and the new sources of silver ensured that the output and supply of silver was massively increased. I. Blanchard, "The Long Sixteenth Century," circa. 1450-1650" (forthcoming).

<sup>32</sup> Clay has stated non-woollens accounted for only a quarter of the value of total trade around 1500. How and from where this figure was derived is not discussed. C.G.A. Clay, *Economic Expansion and Social Change: England 1500-1700* (Cambridge, 2 vols., 1984), II, p. 104. Between 1470-82 only 193.3 dickers of hides were exported annually. By 1510-47 the figure had risen to 1405.6 dickers each year. H.L. Gray, "Tables of Enrolled Customs and Subsidy Accounts, 1399 to 1461", note on p. 361. and G. Schanz, *Englische Handelspolitik gegen ende des Mittelalter* (Leipzig, 2 vols., 1881). For increased exports, albeit at lesser rates, of tin, lead, Newcastle coal, and corn see. J. Hatcher, *English Tin Production and Trade Before 1550*, pp. 116, 119; J.U. Nef, *The Rise of the British Coal Industry*, II, appendix d. I. Blanchard, *International Lead Production and Trade in the "Age of the Saigerprozess," 1460-1560* (Stuttgart, 1995), pp. 309-311; N.S.B. Gras, *The Evolution of the English Corn Market* (Cambridge, Mass., 1915), p. 112.



sector that had become significant in the Netherlands from the start of the sixteenth century.<sup>33</sup> In addition, Scotland may also have taken advantage of the restricted export potential of English wool, due to rising prices, from the mid-1520s. Up to this time Scottish wool exports were around 18% of the English level, but by 1527-42 this had risen to 38%. The absolute quantity of wool exported, however, did not increase until the cyclical boom, which affected all Scottish exports, in 1532-42. The increase in woollens exports, the relatively better performance compared with England's from the mid-1520s, and the cyclical boom in 1532-42 should not be overstated. Wool exports, albeit gradually, continued to decline.

As European commerce and international demand for cheaper, lighter cloths expanded, exports of Scottish cloth increased impressively up to 1542.<sup>34</sup> In 1538-42 cloth exports were four times higher than in the mid-1470s (cloth export figures in the 1460s are not reliable since they are largely based on estimates). The increase was marginally faster even than English cloth, but the quantities continued to be minuscule in comparison. Scottish cloth exports remained less than 5% of the English level.<sup>35</sup> Significantly, the amount of cloth remained small in the context of the gradually dwindling wool exports, and their huge increase merely resulted in stability in woollen exports.

Reliable export figures for non-woollen exports (fish, hides, minerals, and miscellaneous wares) are available from the early 1470s.<sup>36</sup> To analyse this trade, and to

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<sup>33</sup> Other varieties of sheep skins were also used in "new drapery" cloths, and their export presumably increased in Scotland and England. Deficiencies in the export data have precluded their inclusion.

<sup>34</sup> J.H. Munro, "The Origins of the English 'New Draperies'", p. 71. The increases in Scottish cloth exports correlate to successive crises in the Antwerp money market, 1486-92, 1497-1503, 1509-13, 1516-17, (1520-23), 1525-26, 1527-29, and 1532-34, when all but the cheapest cloths became prohibitively expensive for European consumers. Naval warfare with England prevented Scottish cloth from benefiting during the 1520-23 crisis. For conditions in the Antwerp money market see I. Blanchard, *The International Economy in the 'Age of Discovery,' 1470-1570*. Vol. I, *The English Merchants' World* (forthcoming).

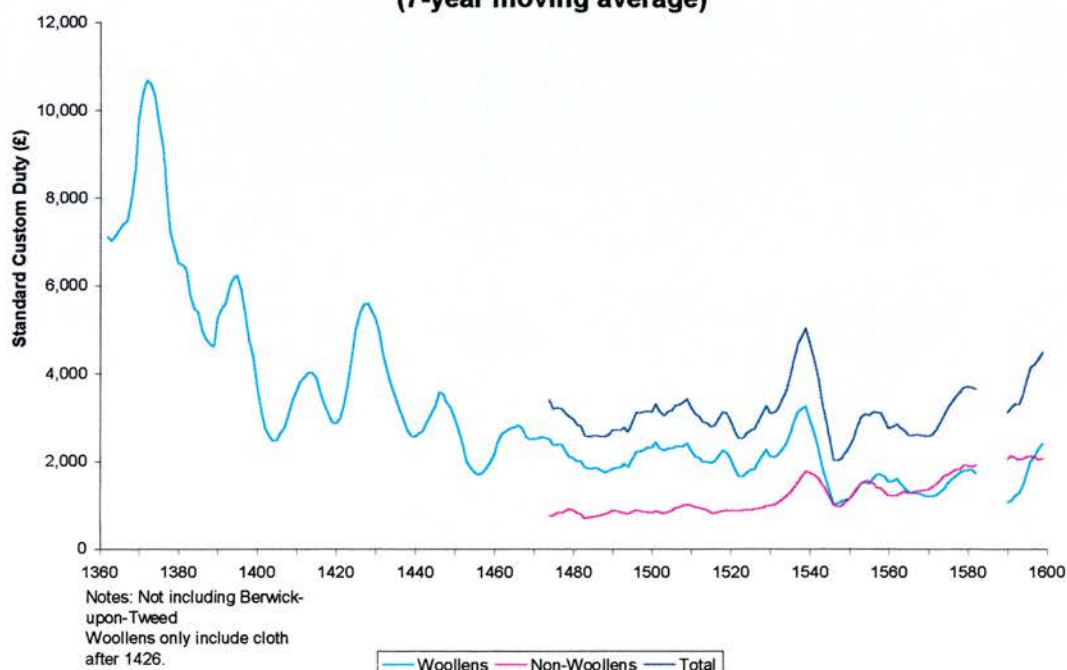
<sup>35</sup> Northern English cloth was, presumably, a similarly poor quality to Scottish cloth. Scottish and Newcastle's cloth exports increased rapidly from the 1460s to the 1540s. In Newcastle the shift from wool to cloth was particularly weak. In the 1540s cloth was less than 10% of their woollen exports, whereas in Scotland, no doubt stimulated by frequent exchange depreciations, the figure was four times higher.

<sup>36</sup> Not all goods were customed. Lead ore and exports by land to England were not given in the accounts. It should also be borne in mind that poorly represented areas have been omitted in this study. The most serious omissions for non-woollens are the ports to the north of Aberdeen, which, by the middle of the sixteenth century, were exporting large quantities of salmon and sea fish. The quantities, however, will not have a great deal of bearing on non-woollen exports, and their basic trends appear to be similar to the areas included in this study. See pp. 195-6, 209-12, 246-50 above.

compare it with woollen exports, standard custom duties (from 1570) have been applied to ensure trade figures are not distorted by increases in custom duties (Figure 15-2). Up to 1542 non-woollens accounted for around a third of total trade. They remained stable up to 1531 before experiencing a significant expansion to 1542, due to an increase in salmon, herring, and, to a lesser extent, hide exports.

Woollen and non-woollen exports remained relatively stable until 1531, before exports of virtually every good grew significantly in 1532-42. Annual exports in the period were 60% higher than in 1523-31. The reasons for the boom are not entirely clear at this stage, although perhaps stability in Scottish prices made the wares more attractive in overseas markets experiencing inflation. The boom, however, was of short duration, and it does not alter the general impression of stagnation in 1465-1542.

**Figure 15-2: Scottish Exports, 1360-1600**  
(7-year moving average)



Source: Appendix 2, pp. 490-615.

Warfare with England, in particular the long and devastating “Rough Wooing”, coincide with, and presumably had a significant impact on, the ending of the 1532-42 export

boom.<sup>37</sup> Trade dropped heavily and remained at depressed levels for the remainder of the decade. Annual exports in 1543-51 were less than half the level of 1532-42. Woollen exports were worst hit, falling by 60% to their lowest-ever recorded levels. Non-woollens, probably because they were not so heavily concentrated in the Forth, the area of the main conflict, fell by only a third, thereby returning to their pre-1532 levels. Woollen and non-woollens each accounted for half Scotland's exports in these depressed conditions.

Hostilities ended in the early 1550s, and by the mid-1550s total export levels returned to the pre-1532 levels. The recovery was far from uniform. Woollens were only 80% of the pre-1532 levels, while a rapid increase in fish and hide exports ensured non-woollens exports were only marginally below the levels achieved in the 1532-42 boom. Non-woollens, therefore, continued to account for half of Scotland's exports in normal conditions.

Scottish exports in 1465-1560 remained static; the massive boom and slump in the 1530s and 1540s had basically cancelled each other out. This was a relatively good position compared with the previous century's continual decline. Moreover, cloth expanded rapidly to 1542; there was a shift towards woollens; and after 1542 non-woollens became a more important component of trade. The performance is considerably less impressive if compared with the strong growth in English exports (now diversified into exporting cloth). Even at their peak, in 1536-42, the figure for total Scottish exports was less than half the amount for wool exports alone in 1369-75 (Figure 15-2).

## **V. 1560-1600**

The printed English export figures in the final forty years of the sixteenth century are less comprehensive than earlier periods, though the basic trends are still discernible. Substantial quantities of non-woollen goods were exported, especially tin, lead, and re-exports. In total,

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<sup>37</sup> It was not unusual for Scottish exports to collapse completely during conflict with England, especially when the English navy was involved. There were, for instance, sharp falls in the first half of the 1480s, in the 1510s, and the early 1520s. The "Rough Wooing", however, was unusual in both its intensity and duration.

however, they accounted for only 10-15% of the value of exports in the mid-1560s.<sup>38</sup> Wool exports collapsed completely, to only a few hundred sacks in the early 1580s. Woollen cloth exports remained the most important component. They fell heavily once England returned to a strong currency in 1551 and remained subdued in the 1560s and early 1570s as trade with the Netherlands faced a number of protracted disruptions.<sup>39</sup> By the mid to late 1570s, shortcloth exports in the enrolled accounts returned to the levels experienced during the great debasement, and were static for the remainder of the century.<sup>40</sup> The increase in custom duties, rising domestic prices, exchange rate appreciation, and competition from cheaper alternatives contributed to ensure that demand for these high quantity expensive English shortcloths, while significant, did not expand. The failure to increase shortcloth sales encouraged a substitution of cheap labour for expensive raw materials,<sup>41</sup> and gave rise to the production of “new drapery” cloths, fabrics made of combed, long-staple wool. In the first half of the seventeenth century, there was a remarkable expansion in the export of these cloths and they became the most important English export. The “new drapery” exports were customised separately from shortcloths, and unfortunately export figures for “new drapery” cloth are not available in the sixteenth century.<sup>42</sup> In the early years of James I’s reign, however, their export was still relatively small, accounting for only a fifth of all English cloth exports.<sup>43</sup> In effect they may simply have compensated for the decline in wool. The general trend in the volume of English exports in the final forty years of the century is of stagnation, and even if there was a higher incidence in smuggling from 1558 due to

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<sup>38</sup> L. Stone, “Elizabethan Overseas Trade”, *Economic History Review*, Second Series, II (1950), pp. 37, 57.

<sup>39</sup> C.G.A. Clay, *Economic Expansion and Social Change: England 1500-1700*, II, p. 115.

<sup>40</sup> London’s shortcloth export figures have been used to discuss the main trends. F.J. Fisher, “Commercial Trends”, p. 153. In 1557/60-1 the outports accounted for only 10.7% of the enrolled accounts cloth exports and 14.7% by 1598-1600. The earlier figure comes from J.D. Gould, *The Great Debasement*, p. 136; the latter has been calculated from W. B. Stephens, “The Cloth Exports of the Provincial Ports, 1600-1640”, *Economic History Review*, Second Series, XXII (1969), p. 246. Amendments have been made to the figures after 1558 for an allowance of a duty free wrapper for every ten short cloths customised. G.D. Ramsay, *The English Woollen Industry*, pp. 59-60. It has been suggested that shortcloth exports from the 1570s settled at around 20% of the level in the early 1550s. Presumably, no allowance has been made for the duty free wrapper or the increased outports’ activity. L.A. Clarkson, *The Pre-Industrial Economy in England, 1500-1750* (London, 1974), p. 125.

<sup>41</sup> In the first half of the sixteenth century there had already been a shift to slightly lighter cloths, but they can still be classed as traditional heavy drapery cloths.

<sup>42</sup> F.J. Fisher, “London’s Export Trade in the early Seventeenth Century”, *Economic History Review*, Second Series, III (1950), pp. 152-4.

<sup>43</sup> J.D. Gould, “Cloth Exports, 1600-1640”, *Economic History Review*, Second Series, XXIV (1971), p. 251.

increased custom duties,<sup>44</sup> it is unlikely to dramatically affect this position.

Following two centuries of stagnation and decline, Scottish exports finally underwent a sustained period of growth in the final forty years of the sixteenth century, and each cyclical peak, in 1558-62, 1576-80, and 1593-97, was greater than the last. Numerous export bans were imposed on particular commodities, which could only be legally contravened if expensive licences were purchased. The likely consequence was a growth in illicit trade, hence custom figures may understate the increase in Scottish exports.<sup>45</sup> The presumed increase in smuggling, however, is likely to have had only a marginal impact on the growth of recorded exports. Bans were normally imposed only for short periods, and woolfells, woollen cloth, salmon, and re-exports, which accounted for nearly half of Scotland's exports, escaped them entirely.

Shorn wool exports continued to fall, and were subject to export bans for most of the 1590s. A 40% increase in woolfells, however, ensured wool exports fell only slightly between 1558-62 and 1593-97. Exports of every other commodity increased between 1558-62 and 1593-97 and total exports were 32% higher (Table 15-1).<sup>46</sup> The main catalyst for the growth between 1558-62 and 1593-97 came from newer and less established exports. Minerals and miscellaneous wares (especially corn and re-exports) together accounted for 90% of the increase in total Scottish exports.

**Table 15-1: Annual Average Scottish Exports During Cyclical Peaks, 1558-1599**  
(£'s of standard custom duty)

Period	Woollen			Non-Woollen					Total
	Wool	Cloth	Total	Fish	Hides	Minerals	Misc.	Total	
1558-62	1,294	362	1,656	752	338	48	110	1,248	2,903
1576-80	1,304	493	1,797	899	400	327	234	1,860	3,657
1593-97	1,254	457	1,711	758	369	235	761	2,124	3,835

Source: Scottish enrolled custom accounts, Appendix 2, pp. 490-615.

<sup>44</sup> G.D. Ramsay, "The Smugglers' Trade: A Neglected Aspect of English Commercial Development", *Transactions of the Royal Historical Society*, Fifth Series, II (1952).

<sup>45</sup> For discussions on smuggling in general and for individual commodities see pp. 133-6, 140-4, 151-3, 162-3, 178-9, 181, 201, 226-30, 234-6, 255-9, 264-9, 785-8.

<sup>46</sup> The export of most goods declined slightly between 1576-80 and 1593-97, no doubt hampered by a strengthening of the coinage in the early 1580s and rising domestic prices in terms of silver. Only the massive increase in corn and re-exports ensured that total exports grew by 5%.



Though the “revival” in the volume of exports was a new departure for Scotland, the extent should not be overestimated. The increase in total exports between 1558-62 and 1593-97 represents an increase of less than 1% per year, and it did not compensate for the dramatic decline over the previous 250 years. Wool exports alone in the early 1370s were over three times the size of total exports in 1593-97. Significantly the “revival” was built on very flimsy foundations.

The Scottish currency was heavy devalued in the second half of the sixteenth century, compared with past centuries and with other countries.<sup>47</sup> This reduced the price of Scottish wares in foreign markets, and provided a stimulus to the country’s export growth. Indeed the export booms in 1558-62, 1576-80, and 1593-97 can all be directly attributed to phases in devaluation.<sup>48</sup> During these devaluation-inspired surges in demand, existing production was expanded,<sup>49</sup> perhaps even at the expense of lowering productivity, while produce was diverted away from domestic towards overseas markets, leading to numerous complaints about exporters neglecting the interests of the lieges.<sup>50</sup> The inevitable inflationary consequences of the debasements ensured that, in the medium-term, domestic prices rose, leading to export levels dropping off. Additionally, after each devaluation-inspired boom ran its course, the Crown strengthened the coinage, albeit slightly, to halt the

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<sup>47</sup> In 1351 the pound Sterling contained the same weight of fine silver as a pound Scots; by 1451 it was £3 Scots; in 1541 £3.8 Scots; and by 1601 there was the same amount of fine silver in a pound Sterling as in £10.75 Scots. Figures calculated from I.H., Stewart, *The Scottish Coinage* (London, 1967); G.C. Brooke, *English Coins, from the Seventh Century to the Present Day* (London, 1950).

<sup>48</sup> There was a phase of currency devaluation in 1553-58, before the coinage was strengthened in 1561. The coinage was heavily devalued in the 1570s, although there are two different interpretations: Stewart’s figures suggest the coinage was debased in 1572, 1581, and strengthened in 1578 and 1582, while more recently, Holmes indicates there were devaluations in 1572 and 1575 and a strengthening in 1580. Finally, after remaining largely unaltered in the 1580s, there were debasements of the coinage in 1591 and 1593. These were the last alterations in the century until the coinage appears to have been strengthened ca. 1598/9. I.H., Stewart, *The Scottish Coinage*; N. Holmes, *Scottish Coins A History of Small Change in Scotland* (Cambridge, 1998). The “upcrying of the money” was mentioned in 1599, *R.P.C.*, V, 525-6.

<sup>49</sup> In 1574 and 1575, as salt exports rose fast, salt producers stated they had built more salt pans and increased the number of workers to service foreign demand. *R.P.C.*, II, pp. 424-5; *A.P.S.*, III, pp. 93-4. In addition to increased Scottish salt exports, which were cheap due to monetary factors, there may have been extra demand as a result of supply problems with Bay of Biscay salt. *Tudor Economic Documents: Being Select Documents Illustrating the Economic and Social History of Tudor England*, edited by R.H. Tawney and E. Power (London, 3 vols., 1924), II, pp. 258-61; C.A. Whatley, *Scottish Salt Industry, 1570-1850* (Aberdeen, 1987), p. 36. This additional demand should not be overstated. Scottish salt was not a direct substitute for Bay salt, coal exports followed a similar pattern; and salt exports remained high once the problems were resolved.

<sup>50</sup> The sources for the second half of the sixteenth century are relatively abundant, and it genuinely appears that legislation banning or decrying the export of goods was more common than previously. It should be noted that similar acts and decrees were issued during periods of scarcity in foodstuffs.

outflow of bullion used to pay for the rising costs of imports. The combination of rising domestic prices and slight exchange appreciation led to export levels dropping and then stagnating. Crude, and unsuccessful, attempts were made to regain a competitive position by producing and exporting substandard goods or “short” measures.<sup>51</sup> Exports only increased again once there was a further phase of devaluation.

This cycle gave a short-term boost to exporters, and debasements may have reduced labour costs.<sup>52</sup> In the long term, it was detrimental, as it gave little incentive for Scottish producers to increase productivity<sup>53</sup> or improve the quality and desirability of their goods so that they could compete in “real” rather than “monetary” terms. A number of ventures were initiated during periods of stagnation aimed at improving quality, or efficiency of production. There were, for instance, attempts to introduce “new drapery” cloth production in the late 1580s, and monopolies were granted for metal refining and salt production.<sup>54</sup>

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<sup>51</sup> In the early 1570s, there were complaints in France, Flanders, and other places that the hides and skins sold by Scottish merchants had already had the tar-leather removed, and the haslocks and fine wool had been “thifteously stollen” from skins. *R.C.R.B.*, I, pp. 21-2; *Edin. Recs.*, IV, pp. 5-6. In 1573 and 1584 Parliament made regulations about the size of barrels for salmon, herring and white fish after foreign consumers had objected to short measures. In 1580 degrees were issued against packing poor quality and young salmon in barrels for export. *A.P.S.*, III, c. 4., p. 82; c. 19, p. 302; *R.C.R.B.*, I, p. 100. In 1567 Parliament stated cloth was in no way to be “flokkit”, a process that used the cheapest parts of the wool fleece. *A.P.S.*, III, p. 41; I. Blanchard, *The International Economy in the ‘Age of Discovery’, 1470-1570*. Vol. I, *The English Merchants’ World* (forthcoming), pp. 228-9.

<sup>52</sup> In terms of silver the wages paid to Edinburgh and Aberdeen builders, skilled men and labourers, remained constant in the last two-thirds of the sixteenth century, even though prices in terms of silver, rose in the 1580s and 1590s. Compared to England, Scottish labour was becoming relatively cheap. In the early 1530s skilled workers in the building trades in Aberdeen/Edinburgh and Southern England were paid a daily wage of 6d. Sterling. By 1590 this had doubled to 12d. in England, but only 9.8d. Sterling in Scotland. In the early 1530s, unskilled labour was paid 4d. and 2.3d. Sterling in London and Edinburgh respectively. By 1587 this had risen to 8d. and 4.4d. These were actual wages (obviously the Scottish wages have been converted into Sterling); trend lines, however, have been used to ensure they are genuinely representative of the trends. The evidence, of course, is far too scant, and too geographically and occupationally confined for bold assessments about wages to be made. If they are in any way representative, they suggest Scottish labour was becoming relatively cheap. A.J.S. Gibson and T.C. Smout, *Prices, Food and Wages in Scotland, 1550-1780* (Cambridge, 1995); the exact wage data from A.J.S. Gibson’s *Scottish Economic History Database, 1550-1780* (available at [www.ex.ac.uk/~ajgibson/scotdata/scot\\_database\\_home.html](http://www.ex.ac.uk/~ajgibson/scotdata/scot_database_home.html)); H.P. Brown and S.V. Hopkins, *A Perspective of Wages and Prices* (London, 1981), p. 11.

<sup>53</sup> From the limited evidence available, there does not appear to have been any improvement in productivity. Domestic prices in terms of silver remained static before rising in the 1580s and 1590s, possibly suggesting there were no changes in efficiency of production.

<sup>54</sup> In the 1580s there were attempts to introduce “new drapery” cloth production into Scotland, ending in failure, and further attempts were made at the start of the following century. See Chapter 7, p. 177; T. Pagan, *The Convention of the Royal Burghs of Scotland* (Glasgow, 1926), pp. 208-10; I.F. Grant, *The Social and Economic Development of Scotland Before 1603* (Edinburgh, 1930), pp. 464-470. Monopolies for new salt production methods and for higher quality refined salt were granted in 1563, 1587, and 1597-99. *A.P.S.*, II, c. 7, p. 538; III, c. 101, p. 494; IV, c. 69 p. 156; p. 182b; pp. 187b,

Each case ended in failure, their demise no doubt exacerbated by further phases of debasement, and better returns from capital available by simply expanding pre-existing production. Scottish exporters, therefore, relied on exchange depreciation to ensure that overseas demand for their poor quality, and highly price elastic, wares expanded. They were not forced to compete in real terms, and so did not learn to be competitive.

In the last forty years of the sixteenth century Scottish exports increased by about a third, not a particularly impressive rate, and export levels remained well below those experienced in earlier centuries. Previous studies have tended to grossly over-exaggerate the rate of growth, primarily as custom revenue has been used to determine the level of exports, hence increased custom duties have been misrepresented as expansions in trade.<sup>55</sup> This has led some to believe that the economy in general expanded, even though overseas trade, despite being an important element, is unlikely to have been anything other than a small component of the economy. In fact, re-exports, particularly in industrial products from northern Europe, were the biggest growth sector, and accounted for nearly 40% of the increase in exports. The growth in exports may in reality be indicative of economic weakness. Expansion was reliant on exchange depreciation, itself a consequence of lack of bullion in the realm, and these devaluation led trade booms hindered Scottish diversification into areas where they could learn to become genuinely competitive.

## VI. CONCLUSION

In the fourteenth century wool dominated Scottish and English exports, but from the final quarter of the century it underwent a long and protracted decline. In England the expansion of woollen cloth exports largely compensated for the decline, and by the 1540s woollen exports (wool and woollen cloth) had returned to the levels experienced two centuries previously. For the remainder of the century English shortcloth exports stagnated, but the period saw the beginning of a move towards “new drapery” cloths, which would come to dominate English trade in the first half of the seventeenth century. In Scotland the situation

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188a. See also Chapter 12, pp. 244-6 for unsuccessful attempts to develop metal refining, and Appendix 13, p.820 for the ultimately failed fishing colony in the Hebrides initiated at the close of the sixteenth century.

<sup>55</sup> For a recent example see I.D. Whyte, *Scotland Before the Industrial Revolution: an Economic and Social History, c. 1050-c. 1750* (London, 1995), p. 274.

was considerably bleaker, as nothing compensated for the decline in wool. In the last forty years of the sixteenth century total exports grew for the first time in two centuries. The growth, however, was very limited, less than 1% per year, and it was largely based on the heavy devaluation of the Scots pound, which temporarily made goods extremely cheap in foreign markets, but hindered long-term prospects. Scottish exports remained considerably lower than the fourteenth century levels. The story of Scottish overseas trade from 1300-1600, therefore, is one of a failure to diversify successfully.

While the overall performance of Scottish exports was poor, the situation in most burghs was considerably worse, as the contracting trade became increasingly concentrated on Edinburgh. In 1362-1410 Edinburgh accounted for 35% of Scottish exports,<sup>56</sup> but the percentage increased rapidly as the burgh's wool exports remained stable while they collapsed everywhere else. By the 1440s Edinburgh accounted for 60% of the exports, and this proportion was maintained until the end of the sixteenth century. The share was even higher during cyclical peaks, with Edinburgh's merchants proving more adept at exploiting upswings in trade. The dominance was, in fact, even greater than these figures suggest, for large quantities of goods customed elsewhere were taken to Edinburgh to be exported. In the sixteenth century, at least, virtually all the wool, hides, fells, and cloths customed in the Forth ports, and often further afield, were exported from Edinburgh. Likewise, Edinburgh received and exported huge quantities of salmon and herring which had already been customed, while the burgh's own exports of these commodities was relatively small. Edinburgh, therefore, received the real export point spin-offs from dealing with commodities, which were customed elsewhere. The only export trade in which Edinburgh did not dominate was minerals, goods which were so bulky that re-shipment would be costly. Nonetheless Edinburgh's merchants can be seen to be actively involved in exporting these goods from the original ports.<sup>57</sup> Not only did the volume of Scottish exports shrink in the Middle Ages, the geographic base of these exports contracted too.

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<sup>56</sup> It should be borne in mind that a number of poorly recorded ports, including Berwick-upon-Tweed, have not been included in these figures.

<sup>57</sup> For a fuller discussion of re-shipment of customed goods prior to export see Chapter 4, pp. 98-122.

## CHAPTER 16

### CONCLUSIONS: THE VALUE AND LIMITATIONS OF THE SOURCES

The custom accounts have been frequently used to illustrate the level of Scottish exports, despite the fact that hitherto there has been little examination of the degree to which the figures are a reliable reflection on overseas trade.<sup>1</sup> Further concern can be raised about the statistical methodology employed to analyse the figures.

#### I.

Virtually every study of the custom figures has used the printed custom accounts in *The Exchequer Rolls of Scotland*. The use of long hundreds by the editors of these volumes has been criticised, but an examination of the original manuscripts shows they were at least consistent. The editors simply used the hundreds (whether long or short) given in the original accounts.<sup>2</sup> Generally, the original accounts use long hundreds for virtually every commodity. The main exception was lasts of wool, which were sometimes also given in short hundreds. The inconsistency in the use of hundreds for wool has distorted the wool export figures in at least one study.<sup>3</sup> When short hundreds were used for other commodities it was often explicitly stated, and there are only a small number of cases where short hundreds were used

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<sup>1</sup> A.L. Murray's work on the Scottish customs system has focused mainly on how it worked in relation to the Exchequer.

<sup>2</sup> A criticism that has been made of the editors is that when converting roman numerals into Arabic they took 'c' erroneously as 100. P. Gouldesbrough, "The Long Hundred in the Exchequer Rolls", *Scottish Historical Review*, XLVI (1967), pp. 79-81; J. Goodare, "The Long Hundred in Medieval and Early Modern Scotland", *Proceedings of the Society of Antiquaries of Scotland*, CXXIII (1993). This criticism, however, is not strictly appropriate for the custom accounts, where only money was given in roman numerals; since money was always in short hundreds, 'c' was, in fact, 100. A more justifiable complaint is that the goods, which were always written in full in Latin and were virtually always given by the clerks in long hundreds, were not converted by the editors into Arabic short hundreds. The editors, however, were consistent in their convention of not converting any figure. See also Appendix 4, p. 737.

<sup>3</sup> In I. Guy's exports figures in 1460-1599, all the hundreds have been assumed to be long hundreds. On about a dozen occasions in her study the lasts of wool were in short hundreds, so her wool exports will be 200 sacks too much in those particular years, equivalent to overestimating wool exports by roughly 10-15%. I. Guy, *The Scottish Export Trade, 1460-1599, from the Exchequer Rolls* (unpublished St Andrews M.Phil. Thesis, 1982) and the same author's "The Scottish Export Trade, 1460-1599" in T.C. Smout (ed.), *Scotland and Europe, 1200-1800* (Edinburgh, 1986), p. 69.



without it being acknowledged, perhaps simply due to lapses by the clerks. To determine the type of hundred used, all the quantities and monetary customs for each entry have been compared. All the figures in the tables and graphs are given in short hundreds.

A more serious flaw in the printed editions of *The Exchequer Rolls of Scotland* is the large number of mistakes made during the transcription or printing of the custom figures, and some rather dubious English translations. These defects have been corrected by using the original manuscripts. Even more numerous were the mistakes made by the clerks of the Exchequer when the accounts were originally compiled. These can be identified when there are discrepancies between the listed quantity and monetary customs; between the sum of the monetary customs and the gross total; and between the start/end dates of an account and those in the adjoining accounts. The last few volumes of *The Exchequer Rolls of Scotland* list a small number of these clerical mistakes and suggested corrections, but considerably more have escaped the editors' attention. The figures presented in Appendix 1 have had the identified clerical and printing mistakes corrected. A complete list of the errors and corrections is given in Appendix 4.

The figures listed in the charges of the accounts have to be used in conjunction with any allowances given in the discharge. Amendments have to be made for goods that were not subsequently exported, commodities that had already been customed at another jurisdiction, and for references to successfully smuggled goods (although not for those which were discovered and not exported). More specifically, adjustments to the Scottish wool exports need to be made when the discharges reveal that some wool was English wool exported via Scotland. It is by no means certain that past studies of the custom accounts have thoroughly scrutinised the discharges.<sup>4</sup>

The extent and changes in size and pattern of custom jurisdictions have been discussed in detail in Chapter 3. Such knowledge is vital to any understanding of the exports. The absence of an account could reflect zero exports, unavailable figures, or the customs being included with another jurisdiction. How the gap is treated, therefore, is dependent on which scenario is applicable. Without a thorough knowledge of each jurisdiction, changes in their nature can give a misleading impression of exports. In the 1470s, for instance, Edinburgh, Haddington, and Prestonpans in turn customed large quantities of salt. This salt

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<sup>4</sup> A full discussion of the procedure and nature of these allowances is given in Chapter 2, pp. 32-4. In Appendix 1 amendments have been made, and noted, for such allowances, pp. 336, 343-485.

came from the same source, and the shifts simply reflect changes in those responsible for customing it. Likewise, older jurisdictions frequently suffered encroachment from newer jurisdictions. The changes in the administrative extent of jurisdictions could be misconstrued as changes in the level and geographic origin of exports. For this study all the jurisdictions' custom figures are listed, but the export graphs are based on the custom areas in existence in 1362. Figures for new jurisdictions created within the bounds of old have been incorporated within the old jurisdiction's figures, to ensure the regional trade figures are not distorted by administrative changes. It should, however, be remembered that customed goods were frequently shipped or carried to other jurisdictions to be exported, particularly to Edinburgh. This phenomenon is examined in detail in Chapter 4, and quantitative evidence of its extent in the sixteenth century is given.

In each jurisdiction customars, clerks of cockets, and, possibly, searchers were appointed to ensure all customable exports paid duties, with each official acting as a check on the integrity of the others. This did not prevent embezzlement and smuggling entirely, though it increased the risks and costs; the best chance of successfully evading the small custom duties depended on bribing all the officials. The level of smuggling cannot now be determined, and even the evidence of caught cases is patchy. Understandably it appears to have been most common when export duties were high and during periods of administrative weakness.<sup>5</sup> In these periods the custom figures have to be treated with care. In the second half of the sixteenth century in particular, the increasingly favoured policy of export bans and licences to contravene the bans is likely to have stimulated illicit trade. The impact on different goods is likely to have varied depending on the extent of the ban, and the ease with which the good could be smuggled.<sup>6</sup>

The customing procedure for each commodity needs to be addressed if the figures are to be used to illustrate exports. The introduction of customs and the extent of them varied according to the commodity, and some items like lead ore or livestock were never included in the custom accounts at all. There were a number of custom exemptions or partial exemptions on various commodities from certain privileged burghs. At times customs on salmon, sea fish, and miscellaneous fells were levied only on foreigners and/or non-

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<sup>5</sup> Chapter 5, pp. 127-37

<sup>6</sup> See pp. 133-6, 140-4, 151-3, 162-3, 178-9, 181, 201, 224-30, 234-6, 251-9, 264-9, 785-8. By and large all the exports were bulky; successful evasion, therefore, depended on bribing the custom officials, and hoping no private individual would report the offence. The reward of a share of the seized goods gave ample incentive to inform, especially as export bans were normally imposed during periods of high prices.

burgesses. In the case of miscellaneous fells the exemptions prevent total exports from being determined. Occasionally custom records have been used without a full awareness of the implications of these concessions.<sup>7</sup>

The custom figures are not always what they purport to be. Wool was not actually exported in sacks containing precisely 24 stone, rather it was shipped in variable sized bundles, and the custom "sack" was simply a measure. The size of barrels may also have been more variable than legislation dictated, as were their contents. Trout and grilse are likely to have been termed simply as salmon, and in the same way barrels of codling are likely to have frequently been termed herring. Cod, exported individually, was sometimes converted into barrels (and vice versa) for customing purposes, and at times miscellaneous fells were given in the woolfell totals. The most complex of these administrative measures was the cloth customs. The dozens of cloth in the accounts do not always represent the actual quantities exported. Different rates were used for broad and narrow cloth, and sometimes jurisdictions converted all their cloth into one or the other for customing purposes. Previous studies, which have simply used the quantity of dozens exported, have underestimated cloth exports since no allowance has been made for the different custom values of the cloths. They have also overestimated Edinburgh's share of the cloth trade, because the burgh used a standard cloth of lesser value than some other burghs. A better, more uniform, method is to examine the cloth's monetary customs (taking into consideration changes in custom duty), and converting these values into standard quantities if so desired. The nature of the commodity and the customing method for each good, therefore, has to be taken into consideration when the custom figures are being used to determine exports.<sup>8</sup>

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<sup>7</sup> I. Guy's figures for salmon, herring, and cod in the 1460s are given as practically zero. In fact these customs were either not levied, or levied only on foreigners. The same author's lambskin export figures show a massive expansion from around the 1540s. This, however, merely represented customs being levied on everyone in all the major burghs, except perhaps in Edinburgh, for practically the first time. I. Guy, "The Scottish Export Trade, 1460-1599", pp. 65, 75-79. Despite the authors' acknowledgement of the dubious nature of the salmon and the miscellaneous fell figures, affected as they were by certain exemptions (though see Chapters 6 and 8, pp. 155-62, 188-9 for a somewhat different interpretation of these exemptions) the flawed figures were still graphed, in M. Lynch and A. Stevenson, "Overseas Trade: the Middle Ages to the Sixteenth Century" in P.G.B. McNeill and H.L. MacQueen (eds.), *Atlas of Scottish History to 1707* (Edinburgh, 1996), pp. 241-2, 254.

<sup>8</sup> This present study has made no allowance for changes in the size of the custom measures. The development of Scottish weights and measures is a complex subject and it is felt it cannot be adequately dealt with in this study. It is conceivable that a series of assize weights, measures, and units were used for customing purposes, as in the case of cloth, and these may not have changed much over time.

The custom records for the most important exporting locations are fairly complete. The long-term leasing of the burghs north of Aberdeen in the sixteenth century, however, has a significant impact on the export figures for salmon and sea fish. This area's trade would not be apparent from the enrolled custom accounts alone. Likewise, establishing the salt export figures is hampered by the leasing of Dysart in the first third of the sixteenth century, and Prestonpans during the second half of century, and the fact that there are virtually no figures available for Kirkcaldy. Where the limited survival of enrolled custom figures is likely to be of significance, the possible extent of these trades has been considered. This cannot, of course, be authoritative, and these deficiencies, along with other less significant examples, have to be borne in mind.

## II.

Previous studies have not been able to take into account all the factors outlined above, hence both their framework and some of the figures are to an extent flawed. The statistical methodology employed has also meant it is difficult to understand short-term trends; sometimes even the long-term patterns, especially for total exports, are misleading.

### (a) Statistical Problems in Previous Work

The study of the Scottish custom figures has been bedevilled by missing entries and the irregular lengths of the custom accounts. Most studies have tended to give annual averages for extended periods, normally for around five years, in periods when most of the custom figures are available.<sup>9</sup> This means export data is available for only short disjointed periods. The figures can be skewed if the period was not exactly the prescribed length. Even a few months' difference in the peak export season could result in the export figures being almost a year too much or too little. Additionally, a year or two of unusually high or low exports can seriously distort the annual average. Significantly, exports for individual years cannot be

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<sup>9</sup> Annual averages in 1327-31 and 1362-66, and for 1471 and 1542 are shown in P. McNeil and R. Nicholson (eds.), *An Historical Atlas of Scotland, c. 400- c. 1600* (St Andrews, 1975), pp. 63-4, 74-5, 174, 186-7. Tables for annual exports for wool and woolfells in 1327-33, 1372-76, 1400-6, and 1427-31, and Scottish custom receipts in 1427-31, 1455-60, 1480-85, and 1500-5 are given in A.W.K. Stevenson, "Trade with the South, 1070-1513" in M. Lynch *et al.* (eds.), *The Scottish Medieval Town* (Edinburgh, 1988), pp. 191, 197. Individual commodity and jurisdiction graphs are given for 1327-33, 1375-80, 1425-30/1, 1475-79, 1535-39, and 1595-99, and their ten-year (or thereabout) annual average graphs for the period 1327-1599 are in *Atlas of Scottish History to 1707*, pp. 241-7, 250-60. A. Grant's table for total Scottish wool and hide exports gives the yearly average for five-year periods for 1327-1459. *Independence and Nationhood: Scotland 1306-1469* (London, 1984), pp. 236-7.

examined and cyclical trends cannot be determined. Guy's study of Scottish exports in 1460-1599 does contain annual exports, but her treatment of missing entries and irregular account lengths has resulted in the figures having little value. A series of tables in her thesis denoted whether the account was for a "year" (10-14 months), a short account (8-10 months), or a long account (14-16 months), yet no allowances were made for these wide differences. She concluded "for all the regular, long, and short accounts, the figures are perfectly adequate".<sup>10</sup> Missing figures were left as blank, but unfortunately when totalled they were, in effect, considered as zero. Edinburgh's export figures, which are not available in the early 1520s, for example, have been given as zero in the Scottish totals, and likewise since Aberdeen's salmon custom figures are not available for most of the 1560s they were graphed as zero. The graphs say more about the survival of custom records than the export pattern.

Custom revenues can be used when a number of different goods are being examined together. Unfortunately, in previous studies, changes in the custom duties have not been taken into consideration, and consequently raised custom duties have been misinterpreted as expansions in trade. For example, in the *Atlas of Scottish History to 1707*, total exports, based on custom revenue, in 1375-80 were around £7,500 per year and at an almost identical level in 1595-99. The impression of trade being roughly on a par in the two periods is an illusion based on the enormous increase in custom duties, especially in 1597. If standard custom duties are applied to both periods, the export volume in 1375-80 was twice the level of 1595-99.<sup>11</sup> The numerous claims of a recovery in trade in the second half of the sixteenth century are based simply on an increase in the custom duties.

#### (b) Methodology Employed for Custom Figures

Annual Scottish export volumes for each commodity, and in total, are given in Appendices 2-3. These are based on the custom figures in Appendix 1, with adjustments made where the custom figures are not exactly a year. For periods longer than a year, the excess has been subtracted (calculated using the area's seasonal trade pattern) and then added to the adjoining account. Alternatively, if an account is shorter than a year, the estimates (based on the seasonal trade pattern) for the remainder of the year have been calculated and added. All the export figures, therefore, are for precisely one year, although it should be noted there are

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<sup>10</sup> I. Guy, *The Scottish Export Trade, 1460-1599, from the Exchequer Rolls*, p. 23.

<sup>11</sup> The figures for 1595-99 also contain items which were not customised in the fourteenth century, but they were probably insignificant in 1375-80. The later figures may also include English import customs. For discussion on the export trends see Chapter 15, pp. 301-18.



very slight differences in the jurisdictions' standard start/end dates.<sup>12</sup> Estimates have been made for gaps in the figures, to ensure the total figures are not skewed by imperfect data. If the estimates form a large proportion of the total, the figure is considered to be unreliable and is graphed as unavailable. A number of largely insignificant jurisdictions have a large number of accounts missing. Owing to the extent of estimates required for them they have not been included in the Scottish total figures, although, like other jurisdictions, their exports have been graphed individually. In all the graphs where the export data is absent (or so unreliable as to be considered absent) the graph line is blank, rather than appearing as zero.<sup>13</sup>

Previous Scottish studies have included the Berwick-upon-Tweed exports only whilst it was under Scottish control.<sup>14</sup> This is misleading, since massive booms or slumps in trade could appear, due merely to a shifting political boundary. For consistency, Berwick-upon-Tweed is not given in the total figures. In the total graphs for wool, woolfells, and hides, however, separate lines incorporating Berwick are included, even when the burgh was under English control.

In constructing graphs for total trade for various commodities the custom duties for the goods have been applied. Since the study is concerned with overseas trade rather than royal revenue, standard custom duties (based on the duties in 1570) are applied, thus allowing the long-term relative export volumes for different goods to be examined.<sup>15</sup>

The tables and graphs also include a variety of goods which have been completely neglected in the previous studies, namely, corn, tallow, flesh, stulling, miscellaneous manufactures, and the numerous re-exports. Even together these goods were of little importance until the final decade of the sixteenth century when they accounted for over 20% of Scottish exports.

### III.

All the export information in the custom accounts for each jurisdiction (with some space saving conventions) are given in Appendix 1. These figures are shown on a commodity basis

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<sup>12</sup> Appendices 2 and 5, pp. 486-7, 775-6.

<sup>13</sup> Appendices 2-3, pp. 487-8, 617.

<sup>14</sup> For example, A. Grant, *Independence and Nationhood*, pp. 236-7; *Atlas of Scottish History to 1707*, pp. 241-3, 250-8.

<sup>15</sup> Appendix 3, pp. 617-8 and Appendix 6, pp. 777-9 for custom duties.

in Appendix 2, with adjustments made so they all cover exactly one year, and estimates are given for missing entries. These export figures are graphed in Appendix 3. The first set of graphs gives the commodities, while the second set shows the total exports from each area and in total, using standard custom duties. These tables and graphs are the first to show the annual exports for all commodities throughout the period 1328-1599. Consideration has been given to clerical mistakes, changes in the jurisdictions and the customing procedure for each commodity. It is hoped that, while not flawless, they can be used, in combination with the discussions on individual commodities, to illustrate Scottish overseas trade in both the long and short term.

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